

The Realist Illusion, a Patriarchal Reality, and the Plight of Osama the Pirate

Robert Hunt Sprinkle

At the Conservative Party Conference at Blackpool, England, in October 1999, Baroness Margaret Thatcher, once a barrister and later illustrious as Prime Minister of Great Britain and commander-in-chief of British forces in the Falklands War, condemned the house-arrest and then-impending extradition of another former commander-in-chief, Augusto Pinochet. He had come to London for back surgery and been detained postoperatively for crimes against humanity, their multiplicity pared down to torture. She made her case standing before a huge projection of a grandfatherly Pinochet warmly cuddling a child. Whatever he may have done, the implication seemed to be, he had done as a patriarch. He had been acting within and for his family, which, plausibly enough, was Chile. Awkwardly for Lady Thatcher's purpose, the slim slices of humanity against which some of Pinochet's deeds constituted arguably actionable crimes had included members of families less plausibly his own.

Pinochet was trying to evade extradition not to Chile, where he still expected to be secure, but to Spain and perhaps then to other states, each offended either by the murder of its nationals in Chile or the murder of Chilean nationals on its territory. In the end, after sixteen months, Pinochet got home not through a claim of innocence or extenuation or immunity, nor through a hole in national or international law. Rather, he got home through a claim of mental incapacity, a claim Britain's Home Secretary seemed determined to accept. Pinochet's spry walk and bright behavior at welcoming ceremonies in Santiago suggested that the true incapacity in this affair was not mental and not his.

Lady Thatcher's visually patriarchist defense recapitulated in forensic cliché one side of a long and harsh debate distinguished by the brilliance of its major protagonists, the inadequacies of their proofs, and the mundane ubiquity of the behavior discussed. Indeed, as to this last point, most beneficiaries of patriarchal privilege have not been heads of state engaged in civil rivalry or foreign war; they have been heads of household. The penalty for abusing one's own slave, spouse, or child, even fatally, has immemorially been lighter

than for likewise maltreating a free-born neighbor or stranger. Even in advanced societies, innumerable victims, their rights to asylum waived fatalistically or revoked procedurally, have died following "repatriation" to brutal homes.

Great crime-like acts of state, of course, seem altogether distinct, for reasons jurisdictional, substantive, and stylistic, surely, but also because they are, demonstrably, *great*. They could not be accomplished without the durable allegiance of an audacious cohort and the forbearance of most everyone else. Their very accomplishment, consequently, is evidence of moral authority, and, however malevolently used, moral authority makes a difference. Realistically, and to realists, it can make prerogative.

The spirit conjured at Blackpool is easy to sense and hard to dispel. It routinely leads us to presume that power within a family—or within a community, corporation, or nation—signifies moral authority, that no family's business is the business of others, and that

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most any measure taken to smooth a family's functioning or to defend one family from another, perhaps simply to advance one beyond another, is taken justly. A contrary spirit, more welcome in temperate airs but quick to vanish when temperate turns torrid, objects that no one in any family deserves to be abused, that the suppression of abuse is the business of any and all, and that the moral licenses issued for governance and competition are limited. The first spirit calls anarchy to order. The second calls patriarchy to account. The tension between them is ageless, and their conflict has long complicated politics.

The apprehension, indictment, prosecution, and punishment of major political criminals has rarely been straightforward, even when facilitated by collapse of the

conspiracies the criminals once led or served. Intervention to stop, suppress, or prevent major political crimes, ranging from cross-border aggression to within-border persecution, has rarely been easy to organize, notwithstanding evident capacity to act successfully at acceptable cost. Efforts to speed political development through the installation of liberal civil procedures ignoring or demeaning indigenous modes of legitimation have so often ended badly as to make "nation building," as a progressive policy, notorious. Political and economic relations with internally abusive states have regularly become confused, sometimes through the diplomatically ordinary conflation of government with governed, sometimes through the personalization of state-to-state contact.

Not only have such frustrations occurred in temporary circumstances promising logically to obviate them, but they also still occur frequently today despite an emboldening of liberal expectations worldwide. Explanations have typically centered on weaknesses in international legal regimes, disincentives to collective action, and perversities in political culture.

Other explanations might prove usefully complementary. This essay considers two, both evoked by arguments in seventeenth-century political philosophy. The first, a once-momentous topic long shunned as a scholarly embarrassment, is *patriarchal privilege*. The second is, as I have called it, *the realist illusion*, which depends psychologically, just as it does rhetorically, on a presumption of moral anarchy among artificial persons. The two may merge, and merge fatefully, for in the realist illusion patriarchal features, and other features as well, are chronically, convincingly, and dangerously misperceived. The realist illusion is very old, patriarchal privilege far older.

A Lost Argument

Politics may have had its origins in a state of nature, but not one with humans in it. Politics, apparently, long antedated our own speciation. Structured observation of nonhuman animals, and most provocatively nonhuman primates, reveals behaviors readily analogous to the politics described within and between, if not among, human groups.

Of singular interest is what modern behavioral primatology suggests about the essence of moral authority. What we express by "moral authority," even by "legitimacy," clearly has an evolutionary meaning, one understood with species-specific variation throughout, and well beyond, the primate order. What we express by these terms is evidently *innate* to some substantial degree, its motivational pressure felt by individuals *as* individuals. Put differently, moral authority *in* a group may be recognizable from outside that group—or from outside any group. If so, then intragroup moral authority has an extra-group reference and legitimacy a standard, one fundamental to custom and law and only in elaboration and peculiarity their artifact.

Among the English *virtuosi* of the seventeenth century's Scientific Revolution, natural philosophy and political philosophy were accepted as having a common origin, yet the existence of innate ideas,

including innate moral ideas, was denied. A prominent physician, John Locke, whom England's rising Lord High Chancellor correctly credited with both the rejuvenation of his health and the maturation of his thought, claimed that the human mind was a "white Paper" at birth, that we were expelled from the womb ready to learn but knowing nothing.



Former British Prime Minister Margaret Thatcher speaking at a pro-Pinochet rally in Blackpool, England, held on October 6, 1999. Thatcher gave an impassioned plea for the release of General Augusto Pinochet, who was in Britain fighting a Spanish attempt to extradite him to stand trial for grave human rights abuses during his regime.
(AP Wide World Photo/Alastair Grant)

Like other animals, humans did, though, have “natural tendencies.” Locke’s error—a scientific one, really, more than a metaphysical—lay not in ignoring natural tendencies but in disregarding their foundational role in the building of ideas, especially moral ideas, and the behaviors grounded upon them.

That said, and giving virtuosity its due, perhaps this “error” was strategic. Locke’s principal goal, after all, was not dismissal of the innateness doctrine but dismissal of the *patriarchal* doctrine it made plausible.

However deeply submerged it may be in the flow of political progress, patriarchy remains in ebbing tides a hazard to moral navigation.

In the 1630s, Sir Robert Filmer, a gentleman of Kent, had begun circulating among his friends an argument no contractarian, no consent theorist, authoritarian or liberal, could like. Some of his work had entered publication over succeeding decades but with little notice or effect. Then, in 1680, the author long dead but the Stuart Restoration desperate for rhetorical defense, royalist operatives arranged to publish Filmer’s major work, *Patriarcha: The Naturall Power of Kings Defended Against the Unnatural Liberty of the People*. Reception within the aristocracy—in Virginia no less than in England—was resounding.

Filmer, like all his contemporaries, knew no natural history whatsoever, nor even that there was a primate order, let alone one in which he held membership. But he did still have a sense of political-behavioral inheritance, however unlikely we might now judge his version of its origin and descent, and he was offended by the increasingly clamorous argument that all people were somehow naturally free-born and were therefore free to chose, to form, and even to invent and dismiss their own governments. “Consent” was the key.

Filmer objected that consent was a fable in politics and a fraud in political theory. Politics, law, and legitimacy itself were first seen in families and retained all their naturalistic features even as families became nations. Consent had nothing to do with this process, as was evident in human history, whose long premodern phase, fully recorded and open to inspection in the Old Testament, and more recent phase, profusely described in secular chronicles, demonstrated beyond questioning that patriarchy and, thus, monarchy were ineluctable. Occasional dalliances with democracy had proved this through the uniformity of their failure. Consent was a secular creation myth, a rationalization disrespectful of scripture, contemptuous of history, alienated from experience, and ruinous in prospect.

Filmer’s core argument was no novelty, nor were attacks on its more familiar features unknown. Yet in

the England of 1680, *Patriarcha* was a weapon, its publication a sly move, a signal event. For liberals it was a threat, for consent theorists and natural-law romantics a well-earned minor rhetorical embarrassment. For John Locke, both as celebrated physician and epistemologist and as anonymous political philosopher, it was a high-priority target. Filmer’s exposition had been awkwardly and unnecessarily scriptural, and Locke took full advantage, thrust after thrust spearing exegetic pretense and the royalist intellectualism standing behind it. Locke’s *Second Treatise*, with a consent-theory garden scene explicit enough to excite yet demure enough not to embarrass, further advanced the edge of liberalism, anticipating its famous declarations and roughing out its lasting institutions.

Oddly, then, Filmer’s antiquated argument, “the most refuted theory of politics in the [English] language,” seems in one key element—its observational premise—more modern than the consent-theory consensus that banished it. Indeed, if secularized, generalized, simplified, made descriptive rather than prescriptive, recast to be objective and falsifiable, and trucked off from philosophy to evolutionary psychology, it would today seem unexceptional, a piece of “normal science,” a researchable hypothesis: patriarchy or matriarchy, one or the other, is the organizational and moral norm in the primate order. To this hypothesis we may add a corollary for ourselves alone, for *Homo sapiens*: however deeply submerged it may be in the flow of political progress, patriarchy remains in ebbing tides a hazard to moral navigation.

An Honored Error

One such ebbing tide had left Thomas Hobbes in Paris during the English Civil War. Born, like Filmer, in the year of the Great Armada, coming to adulthood in the first years of the Stuart dynasty in England, Hobbes in his maturity watched his country disintegrate. It became his life’s work to prevent another such catastrophe, another grand fratricide, by elaborating a true science of politics through whose practice England and other Protestant Christian states, many just emerging from the Thirty Years’ War, could ensure domestic stability. In 1651, out of a long exile, Hobbes published the third and lasting version of his own—and the first ever—political science, *Leviathan, or The Matter, Forme, & Power of a Common-wealth Ecclesiasticall and Civill*. It “was occasioned by the disorders of the present time,” wrote its author, and fit its purpose well.

Modern presentations of realist theory are almost exclusively international in focus—not intranational, not transnational, not intracorporate, and just occasionally intercorporate. They all pivot on an assumption of anarchy. Analysis of state behavior cannot be

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"reduced" to analyses of human behavior or internal state structure since states exist in an anarchical "system" disciplined by no common and supreme ruler. Relative state power determines the pattern of international initiative and dictates the terms of dispute resolution, and rational-choice decision-making guarantees an "ethic" of self-interest and self-help. It is the anarchy assumption that allows modern realist theory to turn smoothly away from global ethical obligation, and it was in *Leviathan's* oft-quoted Chapter 13, its state-of-nature chapter, that the anarchy assumption first found clear expression.

Unlike Filmer, Hobbes set out to redefine legitimacy, to *re-derive* it, and not scripturally but "scientifically," even mechanically—from "motion," no less. His goal was civil stability, and that, he claimed, required political absolutism. Unanimous consent, which could be historical and could even be assumed, rather than elicited, brought political absolutism into line with an idealized parliamentary sovereignty, and majority rule

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could make of such a sovereignty a single being with a clear mind. Political absolutism, however realized, required national autonomy, which in turn required the discrediting of Roman Catholicism, Hobbes's obsession, and collaterally all secular catholicisms as well.

Thus was moral universalism condemned, but inconsistently. In more famous passages it was condemned as fiction, but in less-read reaches of the book as anything but fiction—indeed, as the main cause of domestic discord. Here, as if to reward the relentlessness of the reader, Hobbes admitted that the reason he placed sovereign action outside the bounds of moral judgment was not that he truly believed in or had proved the ethical rightness of such an exemption. Not at all. He had simply decided that the no-moral-judgment rule was necessary to maintain domestic stability—a consequentialist escape from deontology.

Patriarcha was no match for *Leviathan* philosophically or artistically, and neither one was a match for the *Two Treatises* politically—or for the flow of events. *Patriarcha's* most intriguing feature, its protoanthropological critique of consent theory, was swept aside in a general Western rush toward liberalism. With divine-right rule the deadest of secular letters but gender inequity at last a respected complaint, the patriarchist view now appears far less dangerous than long ago

but in important ways decidedly more offensive. *Patriarcha's* absolutist legacy, of course, has been almost wholly obscured by *Leviathan's*, which itself has held honors only in the theory of international relations, where its author's interest was roundabout. But it *has* held them there.

A Complicating Simplification

When at the close of the Second World War modern political realism scratched its way up through a rubble of failed hopes and false philosophies, international moral anarchy seemed, at once, everywhere and nowhere. The unregulated competition of nations had lately been flagrant, as was usual in war. Yet an alliance of nations, some of them democracies fighting for other democracies, had just overturned great evil at high cost. In Nuremberg, Tokyo, and Singapore, tribunals of that alliance were soon to judge the conduct of deposed leaders and surviving loyalists. And in San Francisco, New York, and Geneva, the alliance itself was about to become, supposedly, a global moral order.

As was soon enough apparent, though, morality was not about to be globalized. It was more nearly to be nationalized, or divided between alliances, holy and

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unholy, as if for a war of religion: liberal egalitarianism versus socialist authoritarianism. International life was looking as Hobbesian as ever, perhaps more so. Throughout the West analysts settled comfortably into the realist illusion, a perspective most often remembered from *Leviathan* but elaborated and greatly refined by later scholars, especially those of the Cold War.

Within the realist illusion moral judgment based on ordinary criteria seems unsuitable, since all protagonists are in every way imaginable extraordinary. They are not simple but compound, yet still for any practical purpose unitary and personifiable. They are not short-lived but persistent, even immortal; not law-abiding but law-giving unto themselves; not subject but self-determined and self-helping. They are jealous of power yet selfishly rational in its pursuit and application. They are leviathans rampant on a field of nations, and into them, into these artificial persons, these indispensable fictions, guilt diffuses, like blood into the sea. Competing nearby on less privileged ground are more

accountable giants, corporations: "lesser Commonwealths in the bowels of a greater, like worms in the entrayles of a naturall man."

Guilt has origins, simple or otherwise, and spreads a traceable scent. In global political life, various forms of retribution, from informal score-settling and victor's justice to conscientiously conducted war-crimes trials and truth-commission proceedings, demonstrate the urge to individualize responsibility for past wrongs, at least recent ones. It is exactly this urge to individualize that the realist illusion ordinarily attenuates. The foremost exception over the last half century, an illusion-lifter for even the strictest of realists, has been genocide, an audacious family-killing hate crime whose *unindividualized* punishment, were it executed, would necessarily be collective, could fairly be condemned as retaliatory, and could easily come to resemble genocide itself.

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Realism as theoretically informed practice has endured, even thrived, not just through extension but also, and more importantly, through restriction. Its most formidable antagonist, liberalism, has in leading countries conveniently blocked the forbidding old Hobbesian prospect of domestic authoritarianism, thus making realism safe for democracy—indeed, making realism potentially convincing as the *safeguard* of democracy at home. Liberalism has also helpfully superimposed upon the realist world-of-states view an international legal regime, often denigrated yet increasingly functional. The "modern liberal realist," to coin a term, may these days see all leviathans as foreign and may see the misbehaving ones less as threats to the sovereign independence of neighbor states than as threats to themselves, harming the "natural liberty of the people" denied illiberally by Filmer and, despite a presumption of consent, by Hobbes.

The realist illusion is an independent factor in a range of political behaviors, including many of the more troubling and less successful ones. As for more troubling, it simplifies the formation of policy but obscures the truth that genuine individuals are at every chosen policy's sharp end. As for less successful, it again simplifies but this time blurs the near-certainty that the policies of foreign governments will have been formed by individuals or factions themselves in competition with each other locally. Sometimes these effects interact, as when China's full inclusion in the

world's commerce was long opposed on human-rights grounds, the strategy having been to force "China," the indispensable fiction, to stop abusing "China," the composite corporeal fact.

Whether clarifying or confounding, the realist illusion is not peculiar to the leaders of political, military, and economic competitions or to the scholars of these competitions. It can also be perceived convincingly by citizens, soldiers, and employees, whose commitment to communal efforts and acceptance of collective fates make large-scale leadership and, hence, competition possible.

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"Commitment" and "acceptance"—how human these behaviors sound, how easily attributable to the making of a social contract, to the general and durable granting of consent. In fact, these behaviors *are* almost exclusively human, but not quite. In our very closest patriarchal relatives, chimpanzees and gorillas, just as in humans, dominated males tend to stay with, to stay committed to, to remain accepting of, their natal groups—their "nations," in the oldest sense of the word.

An Inverse Case

Though its historical analysis may yet come to rest upon subtleties not now appreciated, the Pinochet case has so far seemed a classic of patriarchal indulgence aggrandized by realist illusion. But what if its core distinguishing feature were inverted? Moral authority may differentiate common thuggery from great crime-like acts of state, but what, other than nominal legality, would differentiate a great crime-like act of state from a great state-like act of crime?

Osama bin Laden and the jihadists coordinated through al Qaeda avowedly considered their heinous initiatives in Africa, America, Asia, and Europe thoroughly legitimate, even holy. Many agents and fighters expected, intended, or even hoped to die as martyrs in boldly aggressive acts designed to make a peculiarly cultish interpretation of Islam more broadly appealing, respected, and feared; to secure Islam's ancient traditions against cultural erosion and doctrinal evolution; and to avenge indignities and injuries suffered by co-religionists worldwide. Few regulars in any armed service have ever fought as selflessly or for more rarefied ideas, and few have ever accepted the orders of their commanders as willingly.

Moral authority was not absent here, nor was courage. To its admirers, from Morocco to Mindanao, al Qaeda seemed legitimate enough, its attacks the righteous retribution of an offended faith, if not the self-assertions of a well-ordered state. Yet throughout the Koranic world no regime, except Afghanistan's deeply enthralled neo-medieval Taliban, offered al Qaeda more than the faintest and briefest support, at least not after September 11, 2001. Surely compelling was the incentive to align quickly with the United States in its impassioned new war against terror and terror's enablers, yet the ease with which backs were turned—not just to the man, the movement, and the method but also to the motive—was hard to foresee.

Osama bin Laden simply did not qualify for patriarchal indulgence, even among those who intermittently wished him some level of success. He may have been a patriarch in his own tent and in any group accepting his leadership or influence, and he was evidently patriarchal in the misogynistic sense, but he failed more specific tests.

Al Qaeda was no nation. Nor was it evocatively familial, despite reports that some number of its members, affiliates, and entourage were related by blood, marriage, or both. Each agent, each fighter, was, of course, *from* a family, but even collectively al Qaeda itself did not *form* a family, nor did it claim or seek a homeland—a place to settle, prosper, and procreate.

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Ethnically various and polyglot beyond scripture, al Qaeda could never become a state, though it might well overthrow one or two.

Al Qaeda was a pirate crew, an all-volunteer assembly of rogue males banded together as privateers—in this instance, political privateers. In the cynical push-and-shove of local and global politics they might prove useful from time to time, but they were perennially hangable in any port, ultimately outside any sharable future, and immediately expendable.

The patriarchal argument was heard again, but against bin Laden, not for him. Correspondingly, and even from reliably hieratical interpreters of the realist illusion, the rights of states were sounding now more *earned* than intrinsic, more *revocable* than inalienable. For the time being, at any rate, the rights of states were less important than their responsibilities, and chief among these latter was the conscientious regulation of *internal* affairs. "People say, what does that mean? It

means they better get their house in order, is what it means," explained the President, a greater patriarch to all lesser patriarchs, virtually assembled.

A Summary Judgment

The realist illusion undervalues individuals in politics and individualism in political ethics, while patriarchal privilege assigns to prominent individuals an exceptional value, through the leverage of which they may act audaciously with a highly robust personal impunity. The realist illusion and patriarchal privilege, which may operate separately or together, are genuine psychological phenomena with clear evolutionary antecedents and numerous nonhuman analogues, most explicitly among our primate cousins. They are also regressive in that they interfere with the advancement and protection of human rights at the fundamental—the individual—level.

This discussion might be mistaken for a commentary on the perseverance of primitive thought. It appeals to primatological and anthropological observation. It reviews arguments from an era when conscientious people in leading countries took more seriously the political rights of royal pretenders than the human rights of women. It describes conduct found alike in preindustrial societies, atavistic states, and modern liberal alliances. Yet the persevering thought being discussed is not primitive so much as permanent, the manifestation of what may jarringly be called, in seventeenth-century terms, an innate idea.

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