notion if we could, in practice, distinguish truth indicative criteria from reigning habits of justification. (149) Given we can’t, however, and Haack does little to show that we can, all of the hubbub concerning Rorty’s deflationary thesis seems without point. If we turn to the papers of Hance, Hartshorne, and Farrell (excepting the first half), the collection takes a turn for the better. In a way, all three of these papers concern a similar issue: can Rorty be a naturalist without being (a) a transcendental philosopher [Hance]; (b) a metaphysician [Hartshorne], or (c) at least a modest realist [Farrell]. The point is an interesting one, for it doesn’t concern just Rorty, but all pragmatists who insist upon naturalizing the subject-object relation into a continuum, all realists (whether pragmatic or not) who find it important to cling, if only by default, to some notion of the thing in itself which eludes our grasp, and all post-structuralists who believe they can bypass naturalism and metaphysics without remaining transcendental philosophers. The discussion is helped by the fact that the lead paper, Rorty’s "Dewey Between Hegel and Darwin" takes up precisely this issue, critiquing, as it does, Dewey’s penchant for panpsychism. On the basis of these discussions alone, I would commend to you the collection, noting as well Bernstein’s sensible piece, and the excellent bibliography which closes the book.

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This is a comparative study of six writers whom the author sees as exploring the problem of situating political philosophy in the post-metaphysical era: Marx, Foucault, Habermas, Arendt, Merleau-Ponty, and Lefort. The problem is itself a difficult one—beginning with defining the “political” and “metaphysical”—but Flynn does reasonably well with it. Metaphysics is defined as the separation of the apparent from the true world, setting up the latter as the ontological foundation of the former. He cites Arendt’s observations that modernity has produced social and historical philosophies but no political philosophy, and that metaphysics either makes the philosopher apolitical or installs a “taste for tyranny,” such that the loss of it may be a gain for political thought.

Marx, Habermas, and Foucault are appraised for their respective analyses of the origin and demise of classical metaphysics, and their attempts at a political philosophy without metaphysical pretensions. Flynn identifies surreptitious metaphysical elements present in all three. In Marx it is the residual need to ground thought in something real, which Marx finds in human desire. Flynn nicely argues the contingency of desire in language and the symbolic order. With Habermas, who replaces the exhausted “paradigm of consciousness” with a “paradigm of mutual understanding,” Flynn unearths the often-ignored premises that led Habermas to his current position, and finds unexamined presumptive “given” foundations. For Foucault, Flynn finds replacing all theory with an “analytics of power” as resting upon a new dichotomy between power and its “juridical appearance,” and argues that Foucault supports the distinction by giving transcendent status to his own notion of “discursive formation.”

Arendt fares somewhat better, winning praise for her nonmetaphysical assessment of the unique qualities of totalitarianism. Yet she draws criticism for overreliance on the Greek city-state as a model for modern society, as well as for using Kant’s theory of aesthetic judgment as a model for political thought. Flynn questions whether her interpretation of the Critique of Judgment truly provides the basis for a “hermeneutically situated generality” necessary to the optimal attitude of
political thought; he contends that Kant's doctrine of universally shared faculties contains an implicit foundational "given."

Flynn then claims that the late writings of Merleau-Ponty, conceiving the universe as self-seeing "flesh," "open a space for a political discourse at the margins of metaphysics." He maintains that Lefort "has effected the re-elaboration of this conception within the field of the political," with a political philosophy "capable of judgment and critique, but not from a place exterior to it." Given Flynn's acute criticism of hidden metaphysical ladders supporting the other four, the reader wonders why he favors Merleau-Ponty's concept of a universal flesh, and so blithely permits Lefort to use it as a ladder to his own "hyper-reflection" (which is, for those unfamiliar with the term, the nonmetaphysical replacement for "transcendental reflection").

The answer Flynn gives is that Lefort engages in no "systembuilding" or "direct ontology." Yet, says Flynn, "his work rejoins the tradition of classical political philosophy, in that it is directed toward the elaboration of the notion of the political forms of society." What are these forms? Lefort makes use of the notion of social identity to distinguish totalitarianism from medieval monarchy and modern democracy, giving preeminence to the emergence of the modern concept of rights. Lefort offers a critical historical account of rights and defines them as a threefold paradox of modern society, which can only be abbreviated here as reflecting the tension between social homogeneity vs. uncircumscribability, the notion of rights "belonging" vs. being "pronounced," and the idea of the sovereign individual vs. the nonindividual source of rights in the democratic polity.

For this postmetaphysical reader, Flynn's conclusion is unconvincing but his essays demonstrate illuminating command of important material. For others interested in the problem he should be required reading; it's tough to find a knowledgable objective report and this is as good as any available. The problem for me is that of accounting for the reality of law in the post-ontological era. How we can understand and "have" law at all, in light of such severe doubt as has been raised about the possibility of locating real existence within the recent tradition of ontological writing? The self-criticism of the latter is characterized by a deep skepticism of any attempt to ground knowledge of existence or reality in some innate or "given" quality, system, or scheme--even any body of literature or other descriptive material. This strain of current ontological thought will not accept our traditional candidates for "basic features" of law and rights. It will not permit us to adopt, as the "ultimate" grounds for thinking about them, such things as "nature," "reason," "morals," "needs," "human flourishing," "social structures," "signs," or indeed anything else-including the rather simplistic threefold tensions or paradoxes of Lefort (Flynn to the contrary notwithstanding).

In the United States, the influence of Critical Legal Studies and Richard Rorty has encouraged an attitude among critical and "neopragmatic" legal scholars that ontology, as part of the tradition of metaphysics, is no longer a viable tradition. This does not offer a sufficient conceptual grounding for the implementation and enforcement of law and rights. Law and rights are implemented with real sanctions; in this sense they are undoubtedly real. The attitude of disengagement from the conceptual history of the real by critical and postmodern scholarship points toward disenchantment with law as both a concept and an institutional project. Flynn's book illuminates the difficulty of the problem, from the perspective of political theory, but not the solution.

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