

LIBERALISM AND ORTHODOXY: A SEARCH FOR MUTUAL APPREHENSION

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INTRODUCTION

This Article seeks to evaluate and contextualize recently intensifying Christian critiques of liberalism's intellectual and moral claims. Much of this recent critique has been from Catholic and Protestant quarters.¹ Christianity's third major branch—Orthodox Christianity—has not played a prominent role in current critiques of liberalism. This Article seeks to help fill this void in the literature. In helping to fill this void, it contributes to understanding how liberalism fits with one of the world's most ancient Christian traditions.

The Article begins by disambiguating the terms Orthodoxy and liberalism. After identifying each body of thought's foundational commitments, it notes that Orthodoxy endorses the advancement of ideals that are today widely associated with liberalism, namely, the protection of human dignity and the advancing of human rights and liberties. However, differences in philosophical anthropology drive differences in Orthodox and liberal understandings of the nature of evil and suffering and differences over the degree to which liberal ideals can be realized in our world. In particular, whereas liberalism appears to hold that human beings have capacities necessary for the realization of liberal ideals at the societal level and can thus act virtuously so as to

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[Editor's Note: Due to the interdisciplinary nature of this Article, the *Notre Dame Law Review* has not verified certain generalizations, summaries, or opinions on philosophical or theological concepts. Any uncited claims are the opinions of the authors.]

1 R. Scott Clark, *Roman And Protestant Integralists Together: Or Why an Established Religion Is a Really Bad Idea*, THE HEIDELBLOG (Apr. 13, 2022), <https://heidelblog.net/2022/04/roman-and-protestant-integralists-together/> [https://perma.cc/8NXU-TUJ9].

contribute to societal well-being.² Orthodoxy maintains that liberal ideals can only be partially realized in humanity's postlapsarian (i.e., after the Fall) condition.³ Furthermore, Orthodoxy holds that maximal though partial realization of liberal ideals requires the presence of human beings who, with divine aid, are in the process of being refashioned to take on the mind of Christ, thereby becoming capable of reliably manifesting Christian love.⁴

The Article argues that although liberalism and Orthodoxy differ over philosophical anthropology and over whether liberal ideals are fully or partially realizable, Orthodoxy and liberalism are nonetheless compatible with respect to their mutual commitment to advancing the safeguarding of dignity and human freedom. The Article notes that although antireligious forms of liberalism appear to render liberal and Orthodoxy antagonists, antireligious liberalism is a mere historical contingency. In conclusion, the Article notes that the patristic, "two societal orders" approach to the relation between church and state premised upon the theory of unitive action remains relevant today to

2 As Michael Freeden has observed, "liberalism is frequently understood by philosophers and ethicists to be a binding set of virtues and precepts that deserves universal standing." MICHAEL FREEDEN, *LIBERALISM: A VERY SHORT INTRODUCTION* 7 (2015). Some liberals maintain that liberalism is a "general set of ideals appropriate for all right-thinking individuals, regardless of whether or not [liberalism] is realized in actuality." *Id.* Our view is that pursuant to ought implies can, coherence requires the premise that liberalism be meaningfully realizable in practice even if it is not actually achieved.

3 *Compare The Russian Orthodox Church's Basis of the Social Concept: IV. Christian Ethics and Secular Law*, ORTHODOXRIGHTS.ORG, <http://orthodoxrights.org/documents/the-basis-of-the-social-concept/iv/> [<https://perma.cc/4TAX-29ZR>] ("The idea of the inalienable rights of the individual has become one of the dominating principles in the contemporary sense of justice. The idea of these rights is based on the biblical teaching on man as the image and likeness of God, as an ontologically free creature. . . . In the contemporary systematic understanding of civil human rights, man is treated not as the image of God, but as a self-sufficient and self-sufficing subject. Outside God, however, there is only the fallen man, who is rather far from being the ideal of perfection aspired to by Christians and revealed in Christ."), with Emmanuel Clapsis, *Human Rights and the Orthodox Church in a Global World*, in *THEOLOGY AND THE POLITICAL: THEO-POLITICAL REFLECTIONS ON CONTEMPORARY POLITICS IN ECUMENICAL CONVERSATION* 51, 61 (Alexei Bodrov & Stephen M. Garrett eds., 2021) ("In Orthodoxy, human rights cannot be perceived independently of humanity's intrinsic relationship with God. The acceptance of human rights should be founded on the belief of the divine origins of humanity, its continuous dependence on God, and its ultimate fulfillment in God's kingdom.").

4 For Orthodoxy, maximally honoring dignity (and by extension, rights) requires Christian love, which in turn requires becoming Christlike. *Compare* ARISTOTLE PAPANIKOLAOU, *THE MYSTICAL AS POLITICAL* 128 (2012) ("The movement toward divine-human communion is not an increase in human dignity as much as it is a recognition of the dignity that is always-already present."), with STANLEY S. HARAKAS, *TOWARD TRANSFIGURED LIFE* 58 (1983) (positing that "[f]rom an Orthodox point of view agape can be identified with the Christ-like, God-like *telos* which we seek to realize" in the process of divinization).

fostering mutual apprehension, appreciation, and collaboration between liberal states and the Orthodox Church.

I. LIBERALISM AND ORTHODOXY: ELEMENTS AND ASSUMPTIONS

We now disambiguate the terms liberalism and Orthodoxy.⁵ We approach both liberalism and Orthodoxy as doctrines whose aim is to conceptualize conditions for human well-being and whose end or eschaton is an intentional association of dignified and free individuals. We first delineate the foundational elements⁶ of liberalism, (i.e., free exchange, representational government, and rights to be treated equally) along with some of its secondary characteristics (e.g., emphasis on innovation, science, etc.). We then disambiguate Orthodoxy. The basic elements of Orthodoxy are tied to spiritual freedom and representation in the court of God's holy. Its secondary characteristics pertain to the commitment to tradition, faith in the ineffable, etc. Notwithstanding differences in fundamental principles and secondary characteristics, both liberalism and Orthodoxy concern societal interactions, with both theories actualizing themselves in different forms of intentional associations, that is, the state and the church. The realization of both Orthodoxy and liberalism in the form of intentional associations permits us to think of them in terms of compatibility. However, there is a deeper connection between the two as both Orthodoxy and liberalism are founded upon eschatological ideals.

5 A comment about method is in order. Because of the great number of liberal theories and the complexity of the Orthodox tradition, it is not possible to compare Orthodoxy and liberalism writ large. Bearing this fact in mind, and for the sake of drawing a comparison, the Article identifies generic versions of liberalism and Orthodoxy that do not capture all versions of either. Although we do not take up the task of capturing how variations of liberalism and Orthodoxy might impact our analysis, we believe the generic comparison we draw nonetheless sheds light on similarities and differences between Orthodoxy and liberalism.

6 By foundational elements we mean constitutive parts of theory. Hence, it is that into which a thing or theory is decomposed and out of which it is constructed, or that which brings it into existence. There has been confusion about the elements of liberalism. In this Article we assume that such elements as listed above constitute liberalism as the whole unified theory, other things being secondary or derivative from the aforementioned elements. However, we also assume a version of foundationalism according to which liberal elements are premised upon more basic axiomatic foundations. Those foundations are associated with the views of a human being, human nature, dignity and other such foundational anthropological ideas. On the other hand, we also identify secondary or derivative characteristics of liberalism which, no matter how important, may not constitute conditions for liberalism's existence. For instance, such things as commitment to innovation and science, among other things, though they mark off modern liberalism, do not constitute elements of causes of liberalism.

A. *Disambiguating Liberalism*

What is liberalism? This question is not easy to answer. There is no commonly acknowledged definition of liberalism.⁷ An effort to clearly define liberalism entails answering a range of questions. For example, perhaps liberalism is a political theory or, rather, (many) theories, of some kind. Or perhaps liberalism is something more than political theory, as it also entails various economic and legal commitments? Or is liberalism merely a way of thinking about an ideal society that promotes human dignity, freedom, rights, etc.? Or is liberalism something more than theory/theories? It is, perhaps, also a kind of intentional association that draws together people bound up by commitments to certain foundational ideas or ideals.⁸ If liberalism is an intentional association, what is the theory or set of ideas that sustains the intentional association it constructs? What is the goal of this association? Is it to actualize itself in the form of a state or, perhaps, some global cosmopolitan community established upon “liberal” foundations? Answers to these questions are crucial for our understanding of this phenomenon which exercises great influence over people’s minds and gives direction to or finds its political instantiation in some modern states and associations.

Liberalism is a modern phenomenon which weaves together a few threads: economic, political, legal, and perhaps ethical and metaphysical threads, and ties itself to an implicit commitment to human flourishing.⁹ It incorporates the idea of economic freedom with the principle of representational political power (preferably, democracy) together with the notion of individual rights.¹⁰ Liberalism’s origins can

7 For more recent discussion on liberalism, see Duncan Bell, *What Is Liberalism?*, 42 POL. THEORY 682 (2014).

8 Here “idea” stands for an intentional object whereas “ideal” for its manifestation in the societal realm.

9 An interesting set of observations on the topic is found in A. Campbell Garnett, *Liberalism as a Theory of Human Nature* 7 J. SOC. PHIL. & JURIS. 127 (1942).

10 See, e.g., *id.* at 131–33. It bears noting that “new liberalism” as opposed to “classical liberalism” emphasizes that private property rights can undermine a right to equal positive liberty equality. Shane D. Courtland, Gerald Gaus & David Schmitz, *Liberalism*, STAN. ENCYCLOPEDIA PHIL. (Feb. 22, 2022), <https://plato.stanford.edu/entries/liberalism/> [<https://perma.cc/H5D4-7DTA>]. Although we recognize “new liberalism’s” emphasis on the tension between property rights and personal freedom and that liberalism always treat property rights as absolute, liberal societies, including the United States, nonetheless protect property rights and link them to individual rights and representative government. Thus, in the American context, property rights are linked to the right of due process and, as seen in the founding era phrase “no taxation without representation,” to representative government. See U.S. CONST. amend. XIV, § 1; Gerald Gaus, *The Idea and Ideal of Capitalism*, in BUSINESS IN ETHICAL FOCUS: AN ANTHOLOGY 651, 654 (Fritz Allhoff, Alexander Sager &

be traced to the period of the Reformation or perhaps the Enlightenment and to the agenda of freeing human beings from abusive authority (both, secular and ecclesiastical) operating under the veil of divine sanction and presenting themselves as divinely ordained.¹¹ It was historically marked off by the quest of liberating individuals from the powers of empire, state, church, etc.¹² It is associated with insistence on the power and authority of human reason and the search for an egalitarian society—a kind of community of minds and wills equalized, harmonized and flourishing.¹³

“Liberalism” as a modern phenomenon,¹⁴ however, has its precursor in classical and late antique theories.¹⁵ The very origin of the term leads us back to the classical ideas of freedom and virtuous character. The ideas of liberality and democracy are classical. The idea of rights is early modern but can be seen in the classical notion of justice insofar as the latter secures such foundational rights as possessing, exchanging, and exchanging on an equal basis.

In a sense, the modern liberal ideas of free exchange, representational government, and rights are interrelated; the terms are conceptually linked insofar as there may not be any rights secured unless a political system is representational, protective of basic liberties, and established upon principles of free exchange, and the other way around. Thus, a liberal treatise may be articulated primarily in the language of rights or emphasize the language of representational authority, etc. However, once a key element of liberal theory along with the terms designating it is invoked, all other terms are often implied. Liberalism’s tendency to use terms interrelatedly or even interchangeably is not unique; the same tendency can also be found in the linguistic peculiarities of classical thought. For instance, the term *nomos* stood for both law and custom and *nomisma* for money or means of exchange

Anand J. Vaidya eds., 2d ed. 2017) (noting that “No taxation without representation” links private property rights and representative government).

11 See Francis Fukuyama, *Political Consequences of the Protestant Reformation, Part III*, AM. INT. (Nov. 6, 2017), <https://www.the-american-interest.com/2017/11/06/political-consequences-protestant-reformation-part-iii/> [<https://perma.cc/7AAB-V9P2>].

12 Compare PATRICK J. DENEEN, WHY LIBERALISM FAILED 47 (2018) (“Both ‘classical’ and ‘progressive’ liberalism ground the advance of liberalism in individual liberation from the limitations of place, tradition, culture, and any unchosen relationship.”), *with* Fukuyama, *supra* note 11.

13 Garnett, *supra* note 9, at 131–32, 138–39 (explaining that liberalism holds an optimistic view of human nature, places confidence in reason and assumes that human beings are inclined toward cooperation with one another).

14 Modern here includes all facets of modern history, that is, early modern, modern and contemporary or post-modern.

15 Classical here means the ancient Greek period of history and the late antique Roman (or Hellenistic, including Syrian, Egyptian, Greek, etc.) imperial period.

and equalization of transactions.¹⁶ The idea of equality in exchange and the commensurability of goods, etc., in the minds of the ancients, thus entailed the basic rights to acquire, possess, trade freely and be treated equally while exchanging, and vice versa.

Classical thought, while lifting up the idea of freedom or liberty, assumed that liberty at its root core is economic. This is seen in the primary attribution of the terms “liberal” and “liberality” to the virtue of disbursement of assets.¹⁷ Hence, one is liberal when one remains equidistant from extremes, being equally immune from overspending (prodigality) and underspending (stinginess) but handling assets freely and profitably so as to enhance the material prosperity of all and each.¹⁸ Similarly, in modern liberalism we find that economic, political, legal and ethical concerns are intertwined, with economic concerns being primary as the latter entail other concerns. Like classical thought, modern speculative efforts to understand societal freedom (either silently or vocally) assume—via the priority of distributive justice in contemporary liberal theory—that the possession of property is a minimal requirement of having a share in society, that is, of having full legal rights, being treated equally, and hence being free.¹⁹

In antiquity the possession of property was considered equal to liberty, with economic transactions being considered causative of society or association. Aristotle thus states, “it is by exchange that they [i.e., people] hold together.”²⁰ Economic liberty and self-sufficiency support all other liberties as derivative. The virtue of liberality was understood as pertaining to the ratio of disbursement of assets once acquired,²¹ and the virtue of justice was apprehended as pertaining to exchange and transaction.²² Exchange is facilitated by means of

16 See 2 ARISTOTLE, *Nicomachean Ethics*, in THE COMPLETE WORKS OF ARISTOTLE: THE REVISED OXFORD TRANSLATION 1729, 1788 (Jonathan Barnes ed., W.D. Ross & J.O. Urmson trans., 1984) (1133a–1133b).

17 Thus, Aristotle defines liberality as “the mean with regard to wealth.” *Id.* at 1767 (1119b).

18 See *id.* at 1767–68 (1119b).

19 See JOHN RAWLS, JUSTICE AS FAIRNESS: A RESTATEMENT 42 (Erin Kelly ed., 2001); cf. Tilo Wesche, *The Concept of Property in Rakus’s Property-Owning Democracy*, 35 ANALYSE & KRITIK 99 (2013) (Ger.).

20 2 ARISTOTLE, *supra* note 16, at 1788 (1133a). Hence, “when men do not need one another, i.e. when neither needs the other or one does not need the other, they do not exchange, as we do when someone wants what one has oneself.” *Id.* at 1789 (1113b).

21 HOWARD J. CURZER, ARISTOTLE AND THE VIRTUES 97–99 (2012).

22 Aristotle spoke of two partial justices, that is, distributive and corrective and asserted that:

[O]ne kind is that which is manifested in distributions of honour or money or the other things that fall to be divided among those who have a share in the constitution (for in these it is possible for one man to have a share either unequal or equal to that of another), and another kind is that which plays a rectifying part in

currency, which acts “as a measure, makes goods commensurate and equates them; for neither would there have been association if there were not exchange, nor exchange if there were not equality, nor equality if there were not commensurability.”²³ Similarly, modern liberal theories silently or vocally prioritize economic concerns.²⁴

The idea of democracy in modern liberalism mainly connotes representational power, thus allowing other forms of government (e.g., monarchy, oligarchy, plutarchy, etc.) to be democratic in some ways if they aim to serve the whole society by fostering the well-being of all (or most) individuals and by granting all political representation.²⁵ The idea of justice pertains to distributive and corrective justice, with some thinkers prioritizing the former and some the latter form of justice. Justice is linked with law; yet, modern liberals typically also treat it as a political concept or as a legal concept that has political implications.²⁶ This, again, has its equivalent in antiquity where the notion of *politeia* had far-reaching ramifications and included traditionally “political” concerns as well as economic, legal, ethical, and metaphysical concerns.²⁷

Aristotle once argued that political justice “is found among men who share their life with a view to self-sufficiency, men who are free and either proportionately or arithmetically equal, so that between those who do not fulfil this condition there is no political justice but justice in a special sense and by analogy.”²⁸ The primary agenda of contemporary liberalism has been to extend political (in a wide sense of the word) justice to all, securing access to assets, individual freedoms, equality, and hence a life of dignity and autonomy/self-

transactions. Of this there are two divisions: of transactions some are voluntary and others involuntary

2 ARISTOTLE, *supra* note 16, at 1784 (1130b–1131a).

23 *Id.* at 1789 (1133b).

24 This is a quite self-explanatory starting point as far as the economic strain of liberalism is concerned. However, political liberalism (notably, Rawls in his quest for an egalitarian economic system) assumes this as a necessary presupposition. For further discussion, see Barry Clark & Herbert Gintis, *Rawlsian Justice and Economic Systems*, 7 PHIL. & PUB. AFFS. 302 (1978); cf. Federica Nalli & Paolo Santori, *The Economic Principle of Political Liberalism: A Comparison of Rawls and Sugden*, 35 REV. POL. ECON. 476 (2023),

25 *Liberal Democracy*, EUR. CTR. POPULISM STUD., <https://www.populismstudies.org/Vocabulary/liberal-democracy/> [<https://perma.cc/9589-MG62>].

26 See Micah Lewin, *Liberal Conception of Justice*, in THE CAMBRIDGE RAWLS LEXICON 440 (Jon Mandle & David A. Reidy eds., 2014).

27 Plato’s *Politeia/Republic* is a good example of such a way of thinking about the matter at stake. See PLATO, *REPUBLIC* (C.D.C. Reeve trans., Hackett Publ’g Co. 2004) (c. 380 BCE).

28 2 ARISTOTLE, *supra* note 16, at 1790 (1134a).

sufficiency.²⁹ This raises multiple questions. For example, what is autonomy and/or self-sufficiency? What is dignity? Are these ideas more foundational for liberalism than those that designate the elements of liberalism listed above (i.e., free exchange, representational government, and rights) or the other way around? How should we understand “political justice”?

There is an implicit dilemma which we immediately encounter here: the ideas of dignity, autonomy, and freedom (in a general sense of the word) are either more foundational than the ideas of free exchange, representational government, and rights, or derive from these. We may, indeed, conceptualize free exchange, representational government, and rights as either conditions of dignity and autonomy or, rather, as their necessary consequences. Aristotle presents them as conditions of self-sufficiency and political justice.³⁰ However, while they are prior in some respect (i.e., in time), they are, nevertheless, posterior in some other sense (i.e., in nature, so to say). Hence, it is also possible to conceptualize self-sufficiency as a condition. We suggest that autonomy/self-sufficiency, dignity, and (general) freedom are more foundational metaphysical, so to say, assumptions of modern liberalism than free exchange, representational government, and rights. They are linked with the power of reason and with the human capacity to act voluntarily and deliberately. Thus, a dignified and autonomous human being can act in accord with reason through free exchange, representation in the exercise of political power, and individual rights and equal treatment.

Liberalism often tends to present itself as a kind of political, non-committed (or self-standing) theory. Some modern proponents of liberalism axiomatically postulate liberalism as metaphysically, religiously, and ethically uncommitted, thus approximating something akin to a scientific theory.³¹ In this sense, liberal theory may purport

29 See, e.g., Jon Mahoney, *Liberalism and the Moral Basis for Human Rights*, 27 *LAW & PHIL.* 151, 155–57 (2008). In addition, each of liberalism’s foundational commitments—free exchange, representational power, and rights (and, by implication, the axiomatic truth they contain)—is considered fully representational of the whole, carrying in itself essential characteristics of the whole. We often see an apparent terminological confusion where economic, political and judicial terms intertwine and often stand for or substitute one another. However, this confusion simply means that all terms are taken as essential and that when one term is introduced to a discourse, other features are also silently assumed. However, notwithstanding the tendency for one term to refer silently entail others, since the time of the Reformation, the “individual” has been emphasized, with the state protecting individual freedom and reconciling the mutually opposing wills of individuals to the benefit of the collective.

30 See 2 ARISTOTLE, *supra* note 16, at 1787–89 (1132b–1133a).

31 Stephen Macedo, *Liberal Civic Education and Religious Fundamentalism: The Case of God v. John Rawls?*, 105 *ETHICS* 468, 470 (1995).

to be built upon only verifiable and falsifiable claims.³² Perhaps this explains why liberalism tends to abstain from and denies the presence of controversial metaphysical, ethical, and religious commitments. Some others, notably the later Rawls, seem to be more accommodating toward various religious and ethical concerns.³³ And yet, the very origin of liberalism is ethical. For instance, liberality and justice have always been considered core ethical virtues.³⁴ This also holds true of our day and age. In general, the presence of normative elements in liberal theory betrays its ethical grounds. In this sense, liberalism is an ethical doctrine.

More important is the fact that the actualization of primary theoretical elements of liberal thought (i.e., liberties, equality, etc., in concrete intentional associations), that is, a liberal promise which has not been historically delivered,³⁵ immediately directs our mind to the teleological (i.e., *telos* = end) concerns of liberal thought. Yet, *telos* is often connected with the end of history or, in other words, is considered as something that will not be reached at any and every instant of human activity.³⁶ Hence, *telos* is not a matter of ethics that must be capable of immediate implementation. That liberal ideals are not capable of being immediately achieved suggests that liberalism can be legitimately considered a form of eschatology in the sense that liberalism entails belief in a society in which human beings achieve autonomy through liberal (societal) virtues, but not here and now. The implicitly transcendent or suprahistorical orientation of this aspect of liberal thought is a matter of faith and therefore religion. However, at times, liberal theorists attempt to avoid this implication and place the eschaton within history, thus turning eschatological aspirations into normative precepts or imperatives; at this point, liberal theories become counter-intuitive, leaning toward eschatological utopianism.³⁷

In addition, modern liberalism entails apparently ethical assumptions which should direct human will and represent the end of human action, namely human freedom, equality, etc. However, these assumptions, at first scrutiny, turn out to be rather eschatological in character.

32 See JOHN RAWLS, *POLITICAL LIBERALISM* (paperback ed. 1996); cf. Katrina Forrester, *Liberalism and Social Theory After John Rawls*, 44 *ANALYSE & KRITIK* 1, 2 (2022) (Ger.).

33 See, e.g., John Rawls, *The Idea of Public Reason Revisited*, 64 *U. CHI. L. REV.* 765, 798–800 (1997).

34 See RAWLS, *supra* note 32.

35 E.g., DENEEN, *supra* note 12.

36 FRANCIS FUKUYAMA, *THE END OF HISTORY AND THE LAST MAN*, at xi, 138 (paperback ed. 2006).

37 Adrian Vermeule, *Integration from Within*, *AM. AFFS.* (Feb. 20, 2018), <https://americanaffairsjournal.org/2018/02/integration-from-within/> [<https://perma.cc/9DPD-LXSH>] (quoting ERIC VOEGELIN, *THE NEW SCIENCE OF POLITICS: AN INTRODUCTION* (1952) for the claim that “[l]iberalism ‘immanentizes the eschaton’”).

Indeed, these assumptions, if we consider them normative and thus ethical, lead to various unhappy implications, revealing them to be counterintuitive (in that, at least, on the empirical level we do not find liberalism's idea of equality present) and self-contradictory (introducing an ethical norm which cannot be realized or actualized in human life).

Moreover, at its core freedom is a metaphysical issue. As such, multiple attempts to dissociate liberalism from metaphysics, notably by Mill, do not do the job.³⁸ Liberal theories frequently assert what is for liberalism's proponents an axiomatic truth, namely that human beings are free because the fabric of beings is not (either partially or fully) determined, thus allowing spontaneity and contingency, and ultimately—autonomy.³⁹ By extension, in liberal theories a human person (i.e., a possessor of autonomous will and intelligence who is capable of rational choice) is assumed to be capable of radically altering the fabric of being, introducing new causal chains. Thus, modern liberal theories are premised upon axiomatic foundations that are metaphysical, that is, pertaining to the metaphysics of the person or, in other words, anthropological metaphysics.

Another assumption with important metaphysical implications is liberalism's claim that individual rights are nonconventional, natural constraints upon the social actions of all human beings and of powers and authorities.⁴⁰ Liberal theorists often (but not always) predicate equality on rights that equalize all.⁴¹ Such rights represent the conceptual endowment of human reason. And what is reasonable, we may infer, has a share in being. Rights are thus nonconventional, absolute principles that are fully rational and constitute the very fabric of social existence. Arbitrary inequality, consequently, must run against reason and nature and thus should be remedied.

We understand liberalism's aspiration of eliminating arbitrary inequality as an eschatological ideal accompanied by a set of practical political, economic, and legal instruments intended to facilitate the realization of liberal ideals, that is, liberalism's instantiation in reality. Moreover, the ideal of a free and dignified human being living in a community of free and dignified people (taking into account that such a community must ultimately include the whole world) stands at the

38 See JOHN STUART MILL, *ON LIBERTY* (David Bromwich & George Kateb eds., Yale Univ. Press 2003) (1859).

39 *Id.* at 56.

40 These "rights impose constraints that are immune to majoritarian pressures, cost-benefit analyses, and abridgment in exchange for improvements in economic conditions." Mahoney, *supra* note 29, at 153.

41 See Richard Arneson, *Liberalism and Equality*, in *THE CAMBRIDGE COMPANION TO LIBERALISM* 212–13 (Steven Wall ed., 2015).

foundation of liberal thought. This ideal posits that human beings are naturally free and dignified, that is, human beings are fully perfected by reason and nature although human reason and nature may be distorted by false consciousness, convention, or social conditions. It seeks to liberate human beings from all impediments (those that are non-natural or conventional) that obstruct their freedom and autonomy and sully human dignity.

Put differently, for liberalism human beings are marked off by a set of perfecting qualities (i.e., virtues).⁴² These qualities are undermined by various political, social, or conventional impediments that frustrate the establishment of a community of reason and rational wills. The source of error (that is, the reason liberal ideals are not naturally realized despite the virtues liberalism attributes to human nature) is due to distortions in social life.⁴³ At first, these distortions seem to be sufficiently manageable to enable the removal of evil from life and to fully perfect collective life. Yet, this does not hold true of liberal practice.⁴⁴ One aspect of liberal thought thus appears to be perplexing, namely an easily detectable discrepancy between a virtuous human being (or, at least, someone who is predisposed to virtue) and the reality of evil in life. Liberalism can neither fully explain nor practically overcome this discrepancy, even with all the sophisticated political and societal tools at its disposal. Hence, the idea of a liberal society seems to be destined to remain uninstantiated or, at least, not fully instantiated until the end of history. We will return to this thread later in this Article.

Hence, liberalism presents a kind of eschatological vision of a perfected human being living in a perfected society. It starts with an individual human being and through the transformation of society seeks individual perfection and fulfillment as the end point of its eschatological aspirations, as Fukuyama clearly expresses.⁴⁵ Thus, a free and dignified liberal human being living in a society of free and dignified human beings constitute the end of history, its ultimate *telos* or eschaton. Again, curiously enough, this liberal eschaton is placed in the midst of

42 See, e.g., Garnett, *supra* note 9, at 130–31 (asserting that for liberalism “normal” human beings are disposed to good will toward one another).

43 See *id.*

44 See Eric Li, *Eric Li on the Failure of Liberal Democracy and the Rise of China’s Way*, ECONOMIST (Dec. 8 2021), <https://www.economist.com/by-invitation/2021/12/08/eric-li-on-the-failure-of-liberal-democracy-and-the-rise-of-chinas-way/> [https://perma.cc/7EWQ-PDEP] (“Why is liberalism in bad shape? The reason is that in many places it seems to be failing its junior partner—democracy. Liberal democracy is in crisis mode because so many of these countries face severe problems: persistent inequality, political corruption, collapse of social cohesion, lack of trust in government and elite institutions, and incompetent government. In short, liberalism has been failing to deliver democratic outcomes.”).

45 See FUKUYAMA, *supra* note 36, at 287–89.

history thus becoming utopian and counterintuitive. However, liberal insistence on the autonomy or self-sufficiency of a liberal human whose freedoms and rights are secured as the highest societal good ultimately entails the presence of a human being who is manifestly different than real human beings.⁴⁶

To sum up our effort to disambiguate liberalism, we can clearly delineate liberalism's basic elements as: free exchange, representational government (democracy, but can be monarchy, etc.) and individual rights. There are other characteristics of modern liberalism, such as juxtaposing innovation versus tradition, science versus religion, and rationality versus superstition. We can also delineate foundational "metaphysical" principles that sustain modern liberal theories: indeterminacy and a theory of the person as one who is capable of rational choice and of altering the fabric of being and possessing autonomy. In this scheme, implicitly, humanity's *telos* is self-perfection by actualizing liberties, altering the fabric of being, performing creative (i.e., demiurgical) functions, and, in the interest of the social cooperation of autonomous individuals, harmonizing conflicting individual wills and the interests of individuals within society as a whole. Hence, the eschaton of a liberal human being is an association of dignified, autonomous, and free human beings whose wills are reconciled and whose actions are rational.

B. Disambiguating Orthodoxy

In contrast to liberalism's scientific aspirations, Orthodoxy self-consciously understands itself as religious and ethical and combining theory and practice and their correlatives, doctrine and ritual.⁴⁷ Unlike liberalism, Orthodoxy is not primarily concerned with economic, political, or legal matters.⁴⁸ Neither is it focused upon the goal of

46 There is another sense of liberalism which is tied with abusive neocolonial powers of the modern world, the liberalism of political analysts and technologists whose pretenses to moral superiority over developing nations aims to control them. This variation of "liberalism" serves certain wealthy and powerful nations but provokes outrage against Western hubris and moral transgressions. This Article is not concerned with this kind of liberalism—a form of colonialism in disguise.

47 For Orthodoxy theory and praxis are bound up with one another. Compare Tamara Grdzeldze, *Church (Orthodox Ecclesiology)*, in 1 THE ENCYCLOPEDIA OF EASTERN ORTHODOX CHRISTIANITY 124, 124–25, 127 (John Anthony McGuckin ed., 2011), with Perry T. Hamalis, *Ethics*, in 1 THE ENCYCLOPEDIA OF EASTERN ORTHODOX CHRISTIANITY, *supra*, at 229, 229–230.

48 Atanas Slavov, *Constitutional Tradition and Eastern Orthodoxy: Political-Theological Aspects*, in POLITICS, SOCIETY AND CULTURE IN ORTHODOX THEOLOGY IN A GLOBAL AGE 195, 196 (Hans-Peter Grosshans & Pantelis Kalaitzidis eds., 2023) (noting the "predominantly theological focus of Orthodox doctrines and teaching, directed to the Christian community of individual persons and not to the secular societal forms and structures in general")

achieving the harmonious coexistence of free human beings within any single political system.⁴⁹ Instead, Orthodoxy is focused on reconciling the human species with God.⁵⁰ Its main concern is thus also eschatological and, ultimately, soteriological, pertaining not merely to individual perfection, but also to individual and collective (i.e., universal, we may say) salvation of the entire creation.⁵¹ While these concerns are often found in liberal theory under a secular guise, such as liberating individuals from unchosen constraints,⁵² for Orthodoxy eschatology and soteriology are explicit and defining concerns.

Orthodox eschatology entails the relocation of all concerns from this world to another world. In concrete terms, Orthodoxy pursues its agenda as a free intentional association whereby human beings aim to gain membership in the society of the holy by committing themselves to Orthodox doctrine (i.e., right opinion in matters of theology) and canon law (i.e., a set of rules of conduct ordering the actions of clergy and laity). As noted, Orthodoxy combines both theory and practice, doctrine and ritual. For Orthodoxy, right opinion or faith (*orthos doxa*) in religious matters is meant to facilitate the human quest for immortality, which is bound up with reconciling humanity to God. Doctrine and practice thereby aim to help bring fallen humanity to a deified state, that is to a state of union with God that overcomes the postlapsarian alienation of humankind from the Trinity and the spread of death to the human species as a result of the Fall.

Union with God—a being whose presence is not clearly detected by all and whose essence is inscrutable—is Orthodoxy's primary (and we may say, transcendent, i.e., moving above and beyond this realm) concern whereas liberalism is focused primarily on the immanent concerns of free exchange, political representation and individual rights. Orthodoxy and liberalism thus have very different foci.

Given their different foci it is not apparent that Orthodoxy and liberalism are compatible or incompatible. In the next section, we seek to bring some clarity to the question of compatibility, with a focus on whether Orthodoxy can endorse liberal principles. As the next section explains, with some qualification, Orthodoxy is compatible with and even shares certain liberal principles. Moreover, both liberalism and Orthodoxy are theories concerning human beings and societal interactions. Both theories actualize themselves in different forms of intentional associations, that is, the state and the church. More significantly, they both have eschatological aspirations. As discussed in more detail below, the realization of both Orthodoxy and liberalism in the form of

49 *Id.* (noting that Orthodoxy is not committed to any particular political system).

50 Tamara Grdzeldze, *supra* note 47, at 124–25.

51 *Id.*

52 *See generally* DENEEN, *supra* note 12.

theories made manifest in intentional associations which see their *telos* in people's well-being (even if the well-being under consideration is a mere homonym and is defined differently by Orthodoxy and liberalism), permits us to think of them in terms of compatibility.

II. LIBERALISM AND ORTHODOXY: ISSUES OF COMPATIBILITY

In this section we analyze the compatibility of liberalism and Orthodoxy. Significantly, in this context, compatibility does not amount to homogeneity (i.e., it does not entail that Orthodoxy and liberalism must share the same set of principles). Nor does compatibility necessitate a comparison of secondary characteristics, as these may be radically opposed.⁵³ Rather, compatibility entails the possibility of agreeing upon the applicability of the ideals of freedom, representative government, and equal rights in society.⁵⁴ In this Part we argue that Orthodoxy may endorse liberalism's application of the liberal ideals of freedom and equality but with the qualification that, in contrast to liberalism, for Orthodoxy realizing these ideals requires the presence of human beings undergoing the process of deification as opposed to human beings who have not begun to work out their salvation.

A. Assessments of Compatibility

The issue of compatibility between liberalism and Christianity in general and Orthodoxy in particular, has been discussed.⁵⁵ One way of conceiving how they relate to one other is to affirm their radical

53 For instance, whereas an Orthodox Christian highly appreciates the value of Christianity's roots (e.g., the teaching of the founder of the movement) handed down to us across centuries by tradition (paradosis), a modern liberal endorses innovation in its stead. See Athanasius, *Letter One*, in *WORKS ON THE SPIRIT: ATHANASIOS AND DIDYMUS* 53 (Mark DelCogliano, Andrew Radde-Gallwitz & Lewis Ayres trans., 2011).

54 The best exposition of this subject, in our opinion, is by V.V. Bolotov, *Thesen über das 'Filioque'*, 6 *REVUE INTERNATIONALE THÉOLOGIE* 681 (1898); cf. Georges Florovsky, *The Orthodox Churches and the Ecumenical Movement Prior to 1910*, in *A HISTORY OF THE ECUMENICAL MOVEMENT: 1517-1948*, at 169, 208-09 (Ruth Rouse & Stephen Charles Neill eds., 1954).

55 See, e.g., Bradford Littlejohn, *Amhari Among the Protestants*, *AMERICAN REFORMER* (Feb. 25, 2022), <https://americanreformer.org/2022/02/ahmari-among-the-protestants/> [<https://perma.cc/CXK6-EM5G>] ("As a magisterial Protestant, I warmly welcome Catholic skeptics of liberalism into a shared project of renewing the common good and the conscience, through respect for natural law and constitutional liberty; but let us call this project what it is: *political Protestantism*."); Daniel Strand, *A Protestant Critique of Protestants Who Defend Liberalism*, *PROVIDENCE* (Dec. 18, 2019), <https://providencemag.com/2019/12/protestant-critique-defense-liberalism/> [<https://perma.cc/QG54-TS4D>]; Aristote Papanikolaou, *Byzantium, Orthodoxy, and Democracy*, 71 *J. AM. ACAD. RELIGION* 75 (2003); John P. Burgess, *Democracy as Theological Dilemma for Historically Orthodox Nations*, 64 *J. CHURCH & STATE* 3 (2020).

incompatibility on the grounds that they differ in principle. Some modern conservative circles defend this position.⁵⁶ Other scholars deny that Christianity and liberalism are radically incompatible and argue they are compatible.⁵⁷ However, this affirmation of potential compatibility is often supplemented by illustrating that Christianity and liberalism are mutually critical of one another with regard to both theoretical and practical matters. Such an approach can be seen in both modern and early Christian times. St. Augustine represents one such critique insofar as he blamed protoliberals (whose theoretical grounds were linked with Cicero's political thought)⁵⁸ for introducing eschatological ideals as matters of real historical life thus turning them into empty terms and reified conceptions, i.e., conceptions that have no instances that fall under them in reality.⁵⁹ In this view, ideals such as democracy and republicanism are beautiful but counterintuitive as they lack instantiation, that is, they do not share in the fabric of social existence but necessitate the final summation of history (under the judgment seat of Christ).⁶⁰

On the other hand, many liberals criticize Christianity (not necessarily in its Orthodox form alone) as having various illiberal tendencies, such as supporting patriarchy and hierarchy. Orthodoxy's liberal critics infer that it is guilty of abusive practices.⁶¹ As a result, liberalism

56 See, e.g., Adrian Vermeule, *A Christian Strategy*, FIRST THINGS (Nov. 2017), <https://www.firstthings.com/article/2017/11/a-christian-strategy> [https://perma.cc/N3N5-BX23] ("A different view, and my own, is that liberal intolerance represents not the self-undermining of liberalism, but a fulfillment of its essential nature... The Church's role as liberalism's principal target and antagonist is also structurally embedded."); Edmund Waldstein, *An Integralist Manifesto*, FIRST THINGS (Oct. 2017), <https://www.firstthings.com/article/2017/10/an-integralist-manifesto/> [https://perma.cc/D56H-7UBQ]; Edmund Waldstein, *What Is Integralism Today?*, CHURCH LIFE J. (Oct. 31, 2018), <https://churchlifejournal.nd.edu/articles/what-is-integralism-today/> [https://perma.cc/9MKB-3RP9].

57 PAPANIKOLAOU, *supra* note 4, at 56.

58 See ROBERT PATTISON, THE GREAT DISSENT: JOHN HENRY NEWMAN AND THE LIBERAL HERESY 112–14 (1991).

59 See 2 AUGUSTINE, THE CITY OF GOD AGAINST THE PAGANS bk. II, at 217–227 (George E. McCracken trans., Harvard Univ. Press 1957) (426); 2 AUGUSTINE, THE CITY OF GOD AGAINST THE PAGANS bk. IV, at 16–17 (William M. Green trans., Harvard Univ. Press 1963) (426).

60 See VLADIMIR LOSSKY, IN THE IMAGE AND LIKENESS OF GOD 224–25 (John H. Erickson & Thomas E. Bird eds., 1974).

61 See HELENA KUPARI & ELINA VUOLA, *Introduction to ORTHODOX CHRISTIANITY AND GENDER: DYNAMICS OF TRADITION, CULTURE AND LIVED PRACTICE* 1, 8 (Helena Kupari & Elina Vuola eds., 2020). See generally Nadieszda Kizenko, *Feminized Patriarchy? Orthodoxy and Gender in Post-Soviet Russia*, 38 SIGNS 595 (2013).

and Orthodoxy are incompatible.⁶² Ultimately, few theorists on either side postulate radical compatibility between liberalism and Orthodoxy.⁶³ Nonetheless, below we argue that liberalism and Orthodoxy can reach a point of theoretical convergence with regard to liberalism's commitment to free exchange, representative government, and rights as axiological foundations of communal life and eschatological signs of a fully perfected society. We also aim to show that various critiques of Orthodoxy are not well grounded.

B. Orthodox Views of Freedom of Exchange, Representative Government, and Rights

Let us start with the groundlessness of some critical threads directed against Orthodoxy's compatibility with representative government. Although Orthodoxy is often understood as monarchical on account of the monarchy of God the Father (as the sole principle and the source of the Son and the Spirit), nevertheless, Orthodoxy in general and Orthodox churches in particular, as far as their governing principles are concerned, are structured on primarily conciliar foundations.⁶⁴ Indeed, the Church's authority springs from a communal gathering of the representatives of all churches. In fact, reflecting the importance that Orthodoxy attaches to the idea of representative authority, ecumenical councils are only recognized as ecumenical after acceptance by the faithful.⁶⁵

In addition to the ultimately representative and egalitarian nature of Orthodox dogmatic pronouncements, Orthodox ecclesiology is quite egalitarian, with the Eucharist celebrated in the Church, with the laity. The fact of ecclesiastical hierarchy does not imply a rigid vertical structure that encroaches upon fundamental human liberties. Indeed, perhaps church hierarchy can be considered analogous to a representational democracy with bishops and other hierarchs along with local

62 See Nathaniel Wood & Aristotle Papanikolaou, *Orthodox Christianity and Political Theology: Thinking Beyond Empire*, in T&T CLARK HANDBOOK OF POLITICAL THEOLOGY 337, 341 (Rubén Rosario Rodríguez ed., 2020).

63 But see George Alexander Barrow, *Liberalism and Orthodoxy*, 22 INT'L J. ETHICS 202, 216 (1912).

64 See JOHN MEYENDORFF, *LIVING TRADITION: ORTHODOX WITNESS IN THE CONTEMPORARY WORLD* 48, 57 (1978).

65 See JOHN A. MCGUCKIN, *THE ASCENT OF CHRISTIAN LAW: PATRISTIC AND BYZANTINE FORMULATIONS OF A NEW CIVILIZATION* 61 (2012); Hilarion (Alfeyev) of Podolsk, *The Reception of the Ecumenical Councils in the Early Church*, 47 ST. VLADIMIR'S THEOLOGICAL Q. 413, 416 (2003) ("The reception of an Ecumenical Council presupposed not only the official promulgation of its teaching by Church authorities but also its acceptance by theologians, monks, and lay persons. The whole of the church community was involved in this process."); CARNEGIE SAMUEL CALIAN, *THEOLOGY WITHOUT BOUNDARIES: ENCOUNTERS OF EASTERN ORTHODOXY AND WESTERN TRADITION* 5–6 (1992).

synods functioning in a manner similar (with respect to representation) to the Senate and the House.

The economic (economy here understood in the sense of “household management”) foundations of the church’s life are liberal in the classical sense as understood by Aristotle.⁶⁶ Ecclesiastical authorities embrace the virtue of liberality and aim to foster the free exchange of goods and services.⁶⁷ Indeed, Orthodoxy supports the thesis that individual and communal assets should be dispersed in accord with reason and with the eye of staying equidistant from both extremes (and hence vices) of stinginess and prodigality.⁶⁸ Yet, it also insists on the necessity of public control over the distribution and disbursement of assets so that the entire procedure does not fall into Adam Smith’s invisible hand of the market, that is, into the hands of the financial oligarchy and its institutional foundations that seek to maximize the profit of shareholders and that consider the overall societal impact of their economic activities as derivative, premised upon the primary goal of maximizing the profit of the wealthy.⁶⁹ However, Orthodoxy’s conception of household management is broader than a commitment to the dispersion of assets according to reason.⁷⁰ The basic form of exchange is that of action, that is, *askesis* undertaken for and toward *theosis*, that is, eternal life. In this respect, a king and a peasant receive equal treatment, subject to the same criteria with respect to (from the standpoint of Orthodox theology) the immortalizing act of partaking of the Eucharist. In this case, the meaning of economy also pertains to God’s salvific care for humanity.

Moreover, like liberalism, Orthodox thought takes seriously the idea of human dignity and the related principle of equality, the latter of which is clearly stated in Orthodox patristic thought.⁷¹ Thus, liberalism and Orthodoxy may not differ in significant ways with respect to liberalism’s foundational principles of free exchange, representative government, and rights. Rather, they understand these principles in different ways. Yet, these terms, as liberalism and Orthodoxy use them, are not strict homonyms. Rather such terms refer to the same focal

66 See generally M.I. Finley, *Aristotle and Economic Analysis*, 47 PAST & PRESENT 3 (1970).

67 See Romans 12:6–14; *The Russian Orthodox Church’s Basis of the Social Concept: VII. Property*, ORTHODOXRIGHTS.ORG, <http://orthodoxrights.org/documents/the-basis-of-the-social-concept/vii/> [https://perma.cc/GYR5-YVM7] [hereinafter *Social Concept, Property*].

68 *Social Concept, Property*, *supra* note 67.

69 *Id.*

70 See John A. McGuckin, *Eschatological Horizons in the Cappadocian Fathers*, in APOCALYPTIC THOUGHT IN EARLY CHRISTIANITY 193, 193–94 (Robert J. Daly ed., 2009).

71 See BASILIUS (CAESARIENSIS), *THE RULE OF ST BASIL IN LATIN AND ENGLISH: A REVISED CRITICAL EDITION* 249 (Anna M. Silvas trans, 2013).

point. It, therefore, follows that Orthodoxy and liberalism are not irreconcilable with respect to liberalism's fundamental principles.

Although Orthodoxy may agree with liberalism's fundamental principles, the two may be radically incompatible at the level of secondary characteristics. For instance, Orthodoxy's commitment to tradition is clearly juxtaposed with liberalism's commitment to innovation.⁷² Perhaps an even greater incompatibility may exist with respect to secondary characteristics insofar as modern liberalism may identify Orthodox rituals as superstitious. Yet, the most contentious aspect of Orthodoxy's relation to liberalism is found in Orthodox ascetic ideals. In contrast to liberalism's tendency to celebrate self-assertion and the vindication of rights, Orthodox asceticism is marked off by individual self-negation and abdication of rights.⁷³ As opposed to identifying rights as the vehicle to freedom and self-determination, Christian asceticism sees in self-denial and the surrender of rights the summit of freedom and self-determination.

Such Orthodox ascetic ideals as self-negation, the abdication of rights, the ideal of voluntary poverty, and the celebration of martyrdom appear to deny the basic tenets of liberalism, including self-assertion, the vindication of rights, the ideal of material plenty, and the emphasis liberal theory implicitly places on the avoidance of death. Yet, while Orthodoxy and liberalism appear to be incompatible with regard to asceticism and its attendant values, on the one hand, and self-assertion and rights-vindication, on the other, it may be that Orthodox ascetic self-denial is merely apparent insofar as self-denial really represents the self-affirmation of a deified human being.

Although Orthodox asceticism and liberal self-assertion may not be as opposed as one may think, the ascetic ideal and liberal self-assertion relate to a deep difference perhaps best understood from a wider historical perspective, namely that Orthodox theory, has in part, diverged from the classical tradition. This divergence is rooted in Orthodoxy's view of human nature in its original and postlapsarian states.⁷⁴ Whereas Orthodoxy fully endorsed high anthropological stances of classical thought which presented a human being as dignified and free, it identifies these characteristics with the prelapsarian state, the state of the original creation, while arguing that the Fall radically altered the nature of humanity, such that postlapsarian humanity

72 Emily Chamlee-Wright, *Liberalism: The Mother of Innovation*, CHARLES KOCH FOUND. (Oct. 28, 2021), <https://charleskochfoundation.org/stories/liberalism-the-mother-of-innovation/> [<https://perma.cc/WRD4-EXUA>].

73 John of the Ladder's step four describes obedience and states that it is "the burial place of the will and the resurrection of lowliness." JOHN CLIMACUS, *THE LADDER OF DIVINE ASCENT* 92 (Colm Luibheid & Norman Russell trans., 1982) (600).

74 KALLISTOS WARE, *THE ORTHODOX WAY* 60–61 (1979).

is not necessarily free and dignified at any given instant.⁷⁵ Orthodoxy thus denies liberalism's insistence that, when liberated from distorting societal constraints (whether ecclesiastical or secular), human beings are truly autonomous, dignified, and free as such.⁷⁶ Orthodoxy identifies true dignity and freedom with the indwelling of the Holy Spirit received progressively through ascetic struggle and sacramental life and the reconciliation of the human being to the will and the mind of Christ.⁷⁷ Put differently, for Orthodoxy true dignity and freedom are tied to the transformation and redemption of post-Fall human nature.⁷⁸

These real or apparent discrepancies lead us to the core issue of this Article, that is liberalism and Orthodoxy's diverging views of humanity. Whereas for liberalism human beings are by nature already perfected or predisposed toward virtue by the power of reason, they are enslaved by custom.⁷⁹ In contrast, for Orthodoxy human beings are ontologically deeply fallen. As explained more fully below, Orthodoxy can endorse liberalism's application of the liberal ideals of freedom and equality but with the qualification that, in contrast to liberalism, for Orthodoxy realizing these ideals requires the presence of human beings undergoing the process of deification as opposed to human beings who have not begun to work out their salvation.

C. Anthropological Premises: Understanding a Human Being

While both liberal and Orthodox anthropology are rooted in classical tradition, they hold irreconcilable views of humanity in its

75 See *id.* at 61.

76 *Id.*

77 See *id.* at 75–76.

78 See John A. McGuckin, *supra* note 70, at 204, 209 (Robert J. Daly ed., 2009).

79 See Roberto Fumagalli, *A More Liberal Public Reason Liberalism*, MORAL PHIL. & POL., 2022, at 1; Sharon A. Lloyd & Susanne Sreedhar, *Hobbes's Moral and Political Philosophy*, STAN. ENCYCLOPEDIA PHIL. (Sept. 12, 2022), <https://plato.stanford.edu/archives/fall2022/entries/hobbes-moral/> [<https://perma.cc/K6TP-CHRJ>] (“Hobbes argues that each of us, as a rational being, can see that a war of all against all is inimical to the satisfaction of her interests, and so can agree that ‘peace is good, and therefore also the way or means of peace are good.’ Humans will recognize as imperatives the injunction to seek peace, and to do those things necessary to secure it, when they can do so safely.”); see also Garrath Williams, *Kant's Account of Reason*, STAN. ENCYCLOPEDIA PHIL. (Jan. 4, 2023), <https://plato.stanford.edu/archives/spr2023/entries/kant-reason/> [<https://perma.cc/YXG2-L2AZ>] (“Against the empiricist account of motivation and morality, Kant argues that reason has a vital power. Reason enables us to act on principles that we can share with other rational beings. In a world of limits, reason reveals human freedom.”); Fumagalli, *supra*, at 4 (indicating that Rawlsian liberalism entails that human beings can “propose [and abide by] fair terms of cooperation” (quoting JOHN RAWLS, POLITICAL LIBERALISM 49 (expanded ed. 2005))).

current, i.e., postlapsarian, following Orthodox terminology, state.⁸⁰ This section accordingly touches upon issues of human desire, choice and of the good. It compares high anthropological stances of classical tradition, made manifest in modern liberal theories, with Orthodoxy's subtly nuanced view of humanity premised upon the distinction between the pre- and the postlapsarian states of humanity.

Classical theory states that a human being's *telos* is happiness which is a kind of good qualified as "relating to" us.⁸¹ Various classical philosophers understood this good differently. However, two elements of happiness were normally considered, i.e., virtue and pleasure.⁸² Thus, to be happy is to act virtuously, receive praise and honor for virtuous actions and to have a pleasant life. However, ancient theories of virtue and pleasure significantly varied. Whereas some philosophers prioritized virtue, others pleasure, still others considered virtue alone or pleasure alone as insufficient, thus arguing for a combination of both.⁸³ However, what united them all was a very high view of a human being as endowed with dignity and rationality. Human desire is firmly fixated upon the good (i.e., the pleasant, the beneficial and the honorable) and human beings act in accord with reason by choosing the means conducive to the desired end, i.e., the good.⁸⁴ Indeed, Aristotle would argue that although human beings can make moral errors that jeopardize moral action, such errors do not immediately undermine moral character, as the latter is firmly rooted in human desire and in impulses that are always or for the most part controlled by reason so as to lead us to a happy life.⁸⁵ Thus, although ignorance/stupidity and weakness of the will impede our happiness, reason generally prevails. This very cheerful and affirming view of humanity ascribes honor and dignity to human beings. Yet, it ultimately fails to explain why human

80 Orthodox and liberal thought is deeply rooted in classical thought. Among the sources commonly acknowledged to be influential are Aristotle and the Cynics, among others. See Demetrios J. Constantelos, *Ancient Cynic, Christian Monastic Beliefs Old by Very Relevant*, SILOUAN (Oct. 16, 2011), <https://silouanthompson.net/2011/10/cynics-and-christians/> [https://perma.cc/W3Y9-YR2Z]; LOUIS MARKOS, FROM PLATO TO CHRIST: HOW PLATONIC THOUGHT SHAPED THE CHRISTIAN FAITH (2021); MARK EDWARDS, ARISTOTLE AND EARLY CHRISTIAN THOUGHT (2019). Louisa Shea's *THE CYNIC ENLIGHTENMENT: DIOGENES IN THE SALON* (2010) identifies the Cynics' influence on the Enlightenment and by extension on liberalism; see also Roy L. Brooks, *Aristotle and Western Liberalism: The Fundamental Tenets of Judge A. Leon Higginbotham's Scholarship* 9 LAW & INEQ. 419, 421 (1991).

81 See 2 ARISTOTLE, *supra* note 16, at 1736–37 (1098b–1099a).

82 DANIEL RUSSELL, PLATO ON PLEASURE AND THE GOOD LIFE 165 (2005); cf. Jack Kelly, *Virtue and Pleasure*, 82 MIND 401 (1973).

83 See, e.g., 2 ARISTOTLE, *supra* note 16, at 1736 (1098b).

84 See *id.*

85 See 1 ARISTOTLE, *On the Soul*, in *THE COMPLETE WORKS OF ARISTOTLE* 641, 688–89 (Jonathan Barnes ed., J.A. Smith trans., Princeton Univ. Press rev. Oxford trans. 1984) (4033a–433b).

reason is so susceptible to ignorance and why human will frequently fails to control impulses.⁸⁶

Similar to classical thought, for modern liberalism a human being is already predisposed to virtuous action, i.e., acts in accordance with reason thus rationalizing the irrational self, imposing limits on impulses and bringing harmony (in the sense of the unity of opposites) to society. Hence, to be a human being is to act in accord with reason and thus to be virtuous.⁸⁷ Or, perhaps taking a different stance on the issue of human dignity, a modern liberal may instead emphasize both nature and reason, such that human beings are imperfect due to distorting social conditions that undermine the integrity of reason. On this understanding, contemporary liberals still insist that the nature of humanity as such—at its bare minimal condition of natural endowment with dignity and freedom—is predisposed to virtue.

The idea of a virtuous self is then further extended by the idea of the lack of impediment or external constraint. An action which is unimpeded results in some kind of instantaneous awareness of the completion of an activity, which Aristotle defined as pleasure, as that which supervenes on an unimpeded activity which is virtuous, i.e., in accord with reason.⁸⁸ Hence, rational capacity to form a proper disposition of the soul is supplemented by the idea of lack of external constraints and of self-sufficiency, i.e., of reliance on that which is up to us. But what is up to us? The ultimate axiomatic premise at work is that a human being is free in the sense of being capable of self-determination, which entails spontaneity and contingency in nature and a human capacity to actualize the potential of that which is not delimited by the boundaries of custom, i.e., a capacity to create a new social reality.⁸⁹

In Christian thought, the claim that happiness is the *telos* of human life is accepted but with qualification.⁹⁰ The idea that we desire the good and make all choices conducive to the good is understood as pertaining to prelapsarian humanity. However, with the Fall, human beings either lost some capacities, or the means necessary for the

86 Ultimately, an overwhelming number of moral errors that on a daily basis we detect in ourselves and others renders this theory counterintuitive and makes us question the capacity of reason, as it often turns against itself and gives assent to the painful, harmful and shameful thus clearly indicating that these are often as worthy of choice as their opposites.

87 For modern liberalism, a human being is perfected. But this characterization of liberal thought requires qualification. She is potentially perfected. Yet, she still must act virtuously in order to be perfected in actuality. However, at the root-core, a human being is predisposed to virtue due to the natural determination of desire (i.e., toward happiness).

88 See 2 ARISTOTLE, *supra* note 16, at 1856–57 (1174a).

89 See *id.* at 1117 (1110a) (discussing issues of voluntary action and choice).

90 In Christian thought, happiness is associated with the state of being in communion with God. See ALEXANDER SCHMEMANN, *FOR THE LIFE OF THE WORLD: SACRAMENTS AND ORTHODOXY* 23–24 (rev. and expanded ed. 1973) (1963).

actualization of certain capacities, or perhaps even developed a propensity toward evil.⁹¹ Under such conditions, human beings are no longer self-sufficient and autonomous but must submit to God in expectation of grace, i.e., supernatural assistance necessary to actualize human potential for virtue and goodness. Thus, Orthodoxy emphasizes the necessity of divine rescue from humanity's fallen condition, with far-reaching implications associated with regaining membership in the society of the holy, and thus eternal life. The main concern of an Orthodox Christian is thus no longer merely ethical or political or economic, but soteriological. Thus, Orthodox ethical theory is at its core soteriological.

A major consequence of Orthodoxy's soteriological-ethical theory is that its normative system demands essentially unrealistic things from a human being, making ethics eschatological and soteriological. Its ethical norms assume the presence of a "deified" or "justified" human being whose mind is fully assimilated to the mind of Christ and whose will is perfectly reconciled with the will of Christ.⁹² Thus, Orthodox eschatological ethics is a normative system for the society of the holy, reflecting Christ's Mind as expressed in His Beatitudes.⁹³ Hence, Orthodox ethics is at its root-core eschatological, pointing at the reality of the assembly of the holy whose presence is extremely limited in this world. And yet, it assumes that all will be members of such an assembly, perhaps at the eschaton, that is, the end of history or, perhaps, at a supra-historical stage of existence.⁹⁴

91 Thus, due to a radical emersion in sin, Augustine argued for a radical human incapacity to do good things apart from grace. AUGUSTINE, ON THE FREE CHOICE OF THE WILL (c. 388), reprinted in ON THE FREE CHOICE OF THE WILL, ON GRACE AND FREE CHOICE, AND OTHER WRITINGS 74–75 (Peter King ed. & trans., Cambridge Univ. Press 2010)

92 Vigen Guroian, *Notes Toward an Eastern Orthodox Ethic*, 9 J. RELIGIOUS ETHICS 228, 228–29 (1981).

93 Even more so this applies to such statements as "Be perfect, therefore, as your heavenly Father is perfect." *Matthew* 5:48. Modern scholars have pointed out that this phrase, among others, appears to demand from human beings, who are by nature limited and finite, the impossible. Scholars thus speculate whether a scribal error added one letter to the word *eleos* (merciful) and turned it into *teleos* (perfect), thus corrupting the meaning of Christ's imperative for us to be as merciful as the Father. Yet, changing the criteria from as "perfect" to as "merciful" as the Father does not solve the basic problem. A limited human intelligence cannot stand up to the infinite intelligence of God, and a limited human capacity for compassion and mercy cannot compare to God's infinite mercy toward creation. So, on both readings we clearly see the imposition of an impossible norm whose real subject is a deified human being and not a mere postlapsarian, fallen one. Indeed, Orthodox ethics does not intend to make its own ethical precepts and imperatives absolutely unrealistic. Rather, the intention is to indicate that Orthodox ethics entails the presence of the society of the holy. In this sense, at its root-core, Orthodox ethics is eschatological in character.

94 See Guroian, *supra* note 92, at 237. According to St. Basil, this will necessitate the eighth day of creation. See Basil, *Hexaemeron* (*Homily* 2), at § 8, NEW ADVENT, <https://www.newadvent.org/fathers/32012.htm> [<https://perma.cc/J4ZH-TBU2>].

Hence, according to Orthodoxy, the classical high anthropological view of humanity as dignified, free, and autonomous, holds true only of the prelapsarian human being, whereas the postlapsarian human being—a mere, undeified being—does not possess such qualities. Some thinkers, beginning with Augustine, have drawn very grim conclusions from this thesis, including that a postlapsarian human being is intrinsically enslaved, lacks dignity, is deprived of rights, and is subject to the snares of evil.⁹⁵ Orthodox thinkers, however, by and large do not push this thread to its limits but preserve space for human dignity even in a postlapsarian state.⁹⁶ Yet, they also maintain that after the Fall, the integrity of existence of mere undeified humanity is compromised.⁹⁷ Orthodoxy thus finds untenable the assumption that undeified human beings and current political associations possess all the necessary instruments to implement freedom, representational authority, and rights and, ultimately, reconcile the wills and equalize the egos of their members, thereby achieving harmonious coexistence. In particular, in contrast to liberalism's assumption that human beings are predisposed to, or even already possess the required virtues of sufficient reason, dignity and autonomy, for Orthodoxy, deification is necessary for human beings to possess these qualities in all but partial form.⁹⁸

A major implication here is that for Orthodoxy, liberal theory and the practical agenda of liberal states are in their most generic form

95 In this case exemplary is Augustine's grim view of humanity expressed in AUGUSTINE, *supra* note 91, at 148, among other works.

96 See Guroian, *supra* note 92, at 237. For example, while noting that some Orthodox authorities imply that human dignity is dependent on particular moral practices, Aristotle Papanikolaou argues that "[t]he movement toward divine-human communion is not an increase in human dignity as much as it is a recognition of the dignity that is always already present." PAPANIKOLAOU, *supra* note 4, at 128.

97 See Guroian, *supra* note 92, at 237. Augustine voiced this point of view clearly by saying that anything good in human postlapsarian existence comes from God alone, and that we are not even able to make the first step toward becoming good. See AUGUSTINE, *supra* note 91, at 152.

98 Athanasius thus argued that we can become perfect and merciful as the heavenly Father; we do not really possess these characteristics by nature but through participation. ATHANASIUS, *Against the Arians*, in SELECT WRITINGS AND LETTERS OF ATHANASIUS, BISHOP OF ALEXANDRIA (Archibald Robertson ed. & trans., New York, Charles Scribner's Sons 1892), reprinted in 4 A SELECT LIBRARY OF NICENE AND POST-NICENE FATHERS OF THE CHRISTIAN CHURCH: SECOND SERIES 303, 404 (Henry Wace & Philip Schaff eds., 1907). Hence, we may lose them and turn back to where we were before receiving grace. Hence,

as, although there be one Son by nature, True and Only-begotten, we too become sons, not as He in nature and truth, but according to the grace of Him that calleth, and though we are men from the earth, are yet called gods, not as the True God or His Word, but as has pleased God who has given us that grace.

Id. (footnote omitted).

utopianist. In this context, we can thus contrast a “liberal eschatological idealism” with what we call an “Orthodox eschatological realism” that warns against, in this age, too aggressively pursuing eschatological aspirations that will only be fully realized by the society of the holy. In its realist approach, while Orthodoxy affirms the necessity of liberty, representation, and rights, it assumes that it is possible for a human being to reach the state of being fully dignified, autonomous, and free only when the mind and the will are fully assimilated to the mind and the will of Christ.⁹⁹ As a result, although such assimilation is the goal and the norm for all, all cannot achieve it here and now, that is, before the redemption of creation, but only at the end of this age (or in the age to come).

Closely related to our claim that, from an Orthodox point of view, liberalism is utopianist, is liberalism’s inclination toward ideal theory, as opposed to reality.¹⁰⁰ In focusing on an ideal human being that lacks correlatives in the real world, liberalism constantly ignores how far short liberalism is in practice from its own theoretical vision of human life. In the American context, critical race theory and cognate scholarly movements have powerfully portrayed the enormous gap between liberal theory and practice.¹⁰¹

99 See Dyanisus the Areopagite, *Ecclesiastical Hierarchy*, TERTULLIAN 171–72 (1899), https://www.tertullian.org/fathers/areopagite_14_ecclesiastical_hierarchy.htm [https://perma.cc/6LWM-RJ5N].

100 Courtland et al., *supra* note 10. We recognize that this claim may strike some as primarily applicable to ideal, rather than non-ideal liberal theory. In a future work, we intend to address whether non-ideal liberal theory rests implicitly on liberal ideals that, from an Orthodox point of view, are utopianist.

101 See, e.g., Misha Gajewski, *You’re More Racist Than You Think: How Your Mental Biases Perpetuate Racism and How to Fix Them*, FORBES (June 29, 2020, 12:41 PM), <https://www.forbes.com/sites/mishagajewski/2020/06/29/youre-more-racist-than-you-think-how-your-mental-biases-perpetuate-racism-and-how-to-fix-them/?sh=422df45a7ffc/> [https://perma.cc/6UQB-HBZD]; Kimberlé Williams Crenshaw, *Race, Reform, and Retrenchment: Transformation and Legitimation in Antidiscrimination Law*, 101 HARV. L. REV. 1331 (1988) (criticizing liberalism’s focus on formal equality as facilitating the perpetuation of racial subordination); Girardeau A. Spann, *Just Do It*, 67 LAW & CONTEMP. PROBS. 11, 15 (2004) (“[L]iberalism is rooted in Enlightenment conceptions of reason. Liberalism is committed to the belief that syllogistic rational analysis provides a reliable method for developing fair and equitable solutions to even our most intractable social problems. In recent years, however, critical race theory has argued that this commitment to reason often masks the ways in which legal and cultural norms are racially oppressive.” (footnotes omitted)); Penelope E. Andrews, *Making Room for Critical Race Theory in International Law: Some Practical Pointers*, 45 VILL. L. REV. 855, 871 (2000) (“[M]uch of critical race theory is ‘marked by deep discontent with liberalism, a system of civil rights litigation [. . .] and activism, faith in the legal system, and hope for progress.’” (quoting Richard Delgado, CRITICAL RACE THEORY: THE CUTTING EDGE 1 (Richard Delgado ed., 1995))); Enrique R. Carrasco, *Opposition, Justice, Structuralism, and Particularity: Intersections Between LatCrit Theory and Law and Development Studies*, 28 U. MIA. INTER-AM. L. REV. 2 (1996–1997) (suggesting that liberalism has failed

In contrast to liberalism's tendency toward contentment with ideal theory, despite the existence of glaring failures in practice, Orthodoxy focuses on the project of rescuing humanity from shortcomings endemic to the postlapsarian condition. Orthodoxy and liberalism's differing attitudes toward ideal and non-ideal theory perhaps reflect their different anthropological stances—high and “not so high”—evident in liberalism's attribution of liberal virtues to humanity and Orthodoxy's insistence that deification is necessary for postlapsarian human beings to possess these virtues sufficiently for the liberal project to be adequately instantiated.¹⁰² Related to these different anthropological positions are two different understandings of the human end: liberalism's end of acting in accord with reason, versus Orthodoxy's project of restoring and repriming the image of God in humanity and thereby gaining immortality. Put differently, modern liberal thought understands action in accordance with reason as constitutive of its theory, whereas Christianity is organized around the project of redemption.

In addition, modern liberals assume equality of all human beings as a foundational ethical or metaphysical tenet,¹⁰³ whereas Orthodoxy explains variations in conditions of life and the givenness of conditions by appealing to divine *economia*, that is, the history of salvation.¹⁰⁴ Orthodoxy denies that humanity has the capacity for total self-determination, seeing human life as conditioned by the actions of predecessors, among other things.¹⁰⁵ Put differently, unlike liberalism, Orthodoxy stresses that a human being is not a *tabula rasa*; for example, life does

to produce equal opportunity, pointing to extraordinary distributive injustice and suggesting that liberalism has failed to deliver on its promise of prosperity and asserting that liberalism has failed to make much progress on the elimination of racial, religious, ethnic, and gender discrimination); Fabio de Sa e Silva, *Law and Illiberalism: A Sociolegal Review and Research Road Map*, 18 ANN. REV. L. & SOC. SCI. 193 (2022) (“As we were taught by those in critical legal studies, legal principles and rules are not self-defining. They require interpretation by authoritative sources like legal scholars and courts. Law's interpretation can lead to radically different directions, which potentially expands the gap between law in books and law in action, making modern legal systems not only less coherent and predictable but also less able to deliver the promises of a political liberal order—freedom and equality for all.”).

102 As we have seen above, liberalism's assumption that human nature and reason (collective and individual) have the capacity to secure flourishing is here juxtaposed with the necessity of grace and deification in Orthodoxy as the condition flourishing.

103 See e.g., Ronald Dworkin, *Why Liberals Should Believe in Equality*, N.Y. REV. (1983), <https://www.nybooks.com/articles/1983/02/03/why-liberals-should-believe-in-equality/> [<https://perma.cc/EGC2-LRWH>].

104 See McGuckin, *supra* note 70, at 193–94.

105 See Guroian, *supra* note 92, at 238–39. In particular, the original sin committed by Adam and Eve still affects our existence, according to Orthodox doctrine. See ANTHONY T. PADOVANO, ORIGINAL SIN AND CHRISTIAN ANTHROPOLOGY (1967).

not start from scratch but carries in it a long history of a tribe or nation.¹⁰⁶ Neither is the human condition random or equal among all. Human life is instead framed into salvation history. To argue against this, according to Orthodoxy, is both counterintuitive and implausible. Positing the human condition as random is counterintuitive because it is not experienced in reality.¹⁰⁷ Rather, it is evident that people are shaped by the past and do not come to possess their characteristics at random. In the face of wide and persistent inequalities on an array of axes, except at the level of liberal political theory, it is unfortunately implausible to posit that equality of all human beings will be realized in history. In contrast to liberalism's approach of narrowing the problem of inequality to political matters that nonetheless remain persistent, Orthodoxy insists that inequalities in the human condition also reflect salvation history.¹⁰⁸ Thus, the current miserable state of a particular human being may have a sufficient reason(s) pertaining to the history of her tribe, nation, foremothers, etc., although the particular reason(s) remains inscrutable to us because it is shrouded in salvation history. So, from a liberal perspective, it may appear that Orthodoxy aims to explain the phenomenon of inequality by making reference to the inexplicable.

From within liberalism's aspiration to scientific knowledge, Orthodoxy's recourse to the inexplicability of aspects of human suffering is unsatisfactory. However, Orthodoxy does not really aim to scientifically explain, i.e., provide demonstrative knowledge of, the object of faith. On the contrary, Orthodoxy assumes the principle of *economia* as one of its axiomatic truths, which is not subject to demonstration, and constructs its arguments accordingly. In this sense, while liberalism reduces inequality to a political problem, inequalities flowing out of such things as the history of tribe, nation, and foremothers remain pervasive and intractable, even within liberal states. In contrast, enframing such inequality in salvation history, Orthodoxy refuses to reduce obvious and apparent evil to the merely political. The advantage of looking to salvation history is the necessity of redemption within a framework of God's outreach to rescue his creation, with deification constituting an essential part of salvation history. Thus, Orthodoxy

106 See PROCLUS: A COMMENTARY ON THE FIRST BOOK OF EUCLID'S *ELEMENTS* 14 (Glenn R. Morrow trans., Princeton Univ. Press 1992) (1970) ("The soul therefore was never a writing-tablet bare of inscriptions; she is a tablet that has always been inscribed and is always writing itself and being written on by Nous.").

107 According to Orthodox thought, each individual existence is conditioned by God and God's providence. JOHN OF DAMASCUS, AN EXACT EXPOSITION OF THE ORTHODOX FAITH, *reprinted in* 9 A SELECT LIBRARY OF NICENE AND POST-NICENE FATHERS OF THE CHRISTIAN CHURCH: SECOND SERIES, *supra* note 98, at 1, 41.

108 *Id.*

stresses the importance of redeeming human nature and enabling human beings to come to possess the virtues that liberalism prizes so dearly, but fails to provide a path to achieving.

D. *Understanding Good and Evil*

Diverging anthropological views also affect liberal and Orthodox understandings of evil. We thus have to evaluate liberal and Orthodox understandings of good and evil. This Article argues that liberalism and Orthodoxy hold irreconcilable views of the nature of evil. For liberal theory, individual human beings seem to be firmly grounded in the good; evil is first and foremost societal evil, associated with the absence of freedom, deprivation of rights, unequal treatment, etc.¹⁰⁹ Orthodoxy, on the other hand, reclassifies such evils as merely apparent. Specifically, reflecting the idea of divine *paideia* (i.e., education by challenging God's children), Orthodoxy views societal evils as apparent and stemming from the real evil, which is alienation from God.¹¹⁰

Accordingly, Orthodox theology holds that such things as “sickness, poverty, obscurity, death, finally all human afflictions, ought not to be ranked as evils; since [as St. Basil argues] we do not count among the greatest boons things which are their opposites.”¹¹¹ Rather, such apparent evils are natural concomitants of our postlapsarian existence. Hence, “evils such as these come into being from God, and they stop true evils from coming into being.”¹¹² God here is presented as the physician who, while producing distress and pain in the body, nevertheless, heals our infirmities. Such evil as described by Basil is merely apparent, being salvific in reality, even though made manifest in suffering. Yet, he argued, it causes a “pedagogical pain,” and “provides salvation to all, through particular punishments.”¹¹³ Building his argument on the same premises of divine pedagogy, Gregory of Nyssa

109 Among others, Alan Wolfe's *POLITICAL EVIL: WHAT IT IS AND HOW TO COMBAT IT* (2011) and Martha C. Nussbaum's *Radical Evil in Liberal Democracies: The Neglect of the Political Emotions*, in *DEMOCRACY AND THE NEW RELIGIOUS PLURALISM* 171 (Thomas Banchoff ed., 2007), give us some hints on how to understand social evil.

110 See Basil, *supra* note 94, at § 5; Gregory of Nyssa, *On the Soul and the Resurrection*, *NEW ADVENT*, <https://www.newadvent.org/fathers/2915.htm> [<https://perma.cc/DW52-J5AL>].

111 Basil, *supra* note 94, at § 5

112 Basil, *Homily Explaining that God Is Not the Cause of Evil*, in *ON THE HUMAN CONDITION* 46, 51 (Nonna Verna Harrison trans., 2005).

113 *Id.* at 48.

affirms that the earthly life is a temporal probation that may grant damnation to disobedient souls who do not want to learn through pain.¹¹⁴

The division of apparent and real evil can be seen in the Christian notion of the redemptive value of unjust suffering, which Orthodoxy lifts up, especially in its martyrology and which has been given high elevation in the thought of one of history's greatest Christian social justice leaders, Martin Luther King, Jr.¹¹⁵ We suffer and by having suffered redeem ourselves and also our ancestors, tribe, etc. Hence, the phenomenon of suffering, i.e., of being acted upon and consequently experiencing pain, being abused, framed into unequal and unjust social circumstances, is not necessarily evil as it contributes to the global agenda of redemption and thus the salvific history of humanity.

Orthodox theologians aim to emphasize the redemptive quality of unjust suffering. The world is full of apparent evil, but we have to embrace pain as it promises good fruit in heaven. The same pertains to issues of inequality. Orthodoxy does not minimize as a mere contingency of life a person's "unequal" or "uneven" status in respect to wealth, social privilege, and power. On the contrary, Orthodoxy assumes that the first and most socially and economically elevated human beings may be the last ones in the community of the holy.¹¹⁶ Yet it would be a mistake to conclude that Orthodoxy's understanding of suffering entails indifference or passivity toward apparent evils, such as poverty, inequality, and unfair privilege, which Orthodoxy seeks to ameliorate and address.¹¹⁷ Nonetheless, Orthodoxy's position that pain and suffering can be edifying undoubtedly conflicts with the sensibilities of many modern liberals. It may even conflict with liberal theory insofar as liberalism implicitly imagines ending all pain and suffering rather than seeing pain and suffering as an expression of divine *paideia* inset within a larger economy of salvation.

In contrast to apparent evils, for Orthodoxy real evil is associated with fallen reason and will and with human incapacity to act in accord

114 Siiri Toiviainen Rø, *Gregory of Nyssa on Pain, Pleasure, and the Good: An Early Christian Perspective on Redemptive Suffering*, in *SUFFERING AND THE CHRISTIAN LIFE* 33, 36–38 (Karen Kilby & Rachel Davies eds., 2020).

115 See MARTIN LUTHER KING, JR., *Suffering and Faith*, 77 *CHRISTIAN CENTURY* 510 (1960), reprinted in 5 *THE PAPERS OF MARTIN LUTHER KING, JR.* 443, 443–44 (Clayborne Carson, Tenisha Armstrong, Susan Carson, Adrienne Clay & Kieran Taylor eds., 2005).

116 This comes straight from the New Testament: "But many who are first will be last, and many who are last will be first." *Matthew* 19:30.

117 Basil of Caesarea, *Homilia in Divites*, translated in Dacy R. Boyd, Translation of Homilia in Divites by Basil of Caesarea with Annotation and Dating 43–60 (Dec. 2014) (Ph.D. Dissertation, Temple University), <https://scholarshare.temple.edu/bitstream/handle/20.500.12613/2618/TETDEXBoyd-temple-0225E-11963.pdf?sequence=1> [https://perma.cc/F8ZN-585A].

with God's will for His creation in a postlapsarian state.¹¹⁸ One manifestation of evil associated with the state of alienation from God is seen in egocentric self-aggrandizement, of humans lifting up the self and prioritizing the self as the summit of creation around which the whole of creation should revolve. This stands in sharp contrast to the emphasis Orthodoxy gives to humility and to humanity's role in creation as priest.¹¹⁹ (Likewise, Basil's theory of the origins and the nature of evil is associated with human alienation from God following the Fall and the separation of humanity from God. Basil thus defines evil as a privation of good.¹²⁰ If considered from this angle, real evil, according to Orthodox thought, is caused by human vice, namely injustice, licentiousness, folly, cowardice, envy, murder, etc.)

Consequently, after the Fall and following Orthodox parlance, an individual deliberative (or gnostic, according to Maximus the Confessor's terminology¹²¹) will (i.e., the process of deciding through deliberating among a range of options) is always found to be in conflict with other wills which manifest others' egos and similarly prioritize themselves above all. More specifically, postlapsarian human beings diverge from the original state of the community of wills in God and lose their good will toward others by prioritizing the objects of their own desire, willing even to the point of sacrificing the whole to pursue their own desires.¹²² Hence, we are fully immersed in evil as individual wills conflict with other wills, thus meeting with rejection and pain, frustration, etc. Reflecting divine *paideia*, God thus challenges us to cooperate with this grace to restore goodness of will, or "natural will." The only way out is to restore the original goodness of will, or "natural" will. As a result, good and evil in Orthodoxy relate to persons and to a lesser degree to society.

Liberalism's idea of evil as the lack of liberty, inequality, and subjection to unchosen constraints is implicit in liberal theory and juxtaposed to the opposite of the good understood as freedom, equality, and liberation from unchosen constraints. Yet, in liberal theory, a human being is ultimately good. Thus, an old classical theory of human beings as creatures whose desire is firmly fixated upon the good, as we argue, is seen in modern liberalism. In exalting autonomy, liberalism affirms that a human being cannot voluntarily really inflict pain upon herself. Neither can she do harm to herself. Nor can she desire shameful things. Rather, the opposites of painful, harmful, and shameful are

118 Basil, *supra* note 94, at § 4–5.

119 See SCHMEMANN, *supra* note 91, at 94.

120 Basil, *supra* note 112, at 53.

121 See generally Ian A. McFarland, 'Naturally and by Grace': Maximus the Confessor on the Operation of the Will, 58 SCOTTISH J. THEOLOGY 410 (2005).

122 See Basil, *supra* note 112, at 48–49.

proper objects of desire. In this respect, liberals silently follow classical thought by affirming that human desire is firmly fixated upon the good, which is the pleasant, the useful, and the honorable, and disinclined toward evil, which is the painful, the harmful, and the shameful, thus affirming the implicit principle that mere human beings can sustain a liberal state and shape a liberal social ethos.¹²³ Hence, error comes with stupidity (confusing the real good, which is evil in reality, with the apparent good) or weakness of practical reason (incapacity to calculate the right ratio) and weakness of the will when deliberation and action differ.

Orthodox theology also affirms that human beings are fixated upon the good but with the qualification that only the prelapsarian human being is so fixated.¹²⁴ Orthodoxy maintains that in their postlapsarian state, human beings are no longer marked off by the desire for the good. Instead, post-Fall human beings can find evil objects as desirable in their own right and thus worthy of choice. We choose evil for its own sake since our postlapsarian, unredeemed, or unedified state is characterized by propensity to evil. A postlapsarian human being can thus desire the painful, the harmful, and the shameful. Humanity is thus ensnared by evil.

And yet, as discussed above, Orthodoxy holds that what we normally understand as evil is merely apparent evil.¹²⁵ For instance, lack of liberty as well as various economic and political constraints imposed upon individuals are not evil per se. More precisely, under the theory of divine *paideia*—God’s concern for his fallen children as expressed through divine education¹²⁶—much of what we take to be evil can be corrective and is thus only apparently evil. Put differently, pain and suffering can be edifying.

Yet, Orthodoxy has always sought to ameliorate evil. It does this, first, by seeking to cut out the root of evil in the human soul and, by extension, human life.¹²⁷ Second, it ameliorates evil by attending to those who suffer (no matter justly or unjustly) through being

123 Cf. MENACHEM MAUTNER, HUMAN FLOURISHING, LIBERAL THEORY, AND THE ARTS 2 (2018).

124 See DAVID L. BALÁS, METOUSIA THEOU: MAN’S PARTICIPATION IN GOD’S PERFECTIONS ACCORDING TO SAINT GREGORY OF NYSSA 149 (1966); cf. McGuckin, *supra* note 70, at 206–07.

125 See Basil, *supra* note 94, at § 4.

126 This apparent evil constitutes God’s acts designed to teach us and to heal our infirmities. Hence, Basil argued, “we do not count among the greatest boons things which are their opposites.” Basil, *supra* note 94, at § 5. This apparent evil is salvific, as it cleanses us from sin by inflicting a “pedagogical pain.” It thus “provides salvation to all, through particular punishments.” Basil, *supra* note 112, at 48.

127 See Basil, *On the Origin of Humanity, Discourse 2: On the Human Being*, in ON THE HUMAN CONDITION, *supra* note 112, at 33, 37.

challenged by God or by other humans or institutions via various misfortunes, pain, loss, and other apparent evils.¹²⁸ Thus, as an expression of Christ's call to treat all people mercifully, Orthodoxy sponsored public charities, thereby imitating God's mercy to all, independent of merit.¹²⁹

Accordingly, while Orthodoxy accepts apparent evil as part of God's plan for his children, its ethos is universal mercy. It therefore encourages its members to actively participate in the process of healing this world, spiritually and physically, morally and practically.

E. Understanding Human Associations

This Section begins with a series of reflections on Orthodox and liberal views of societal evil. It then proceeds with expositing the Orthodox idea of two kinds of societal orders (the ecclesial and the secular) made manifest in two intentional associations (the church and the state). The Section next argues that both intentional associations have their peculiar structural pillars and address the same human concerns but in different ways, one (the church) predominantly aiming to foster eschatological hope in redeemed and deified humanity, and another (the liberal state) focusing its gaze on facilitating human aspirations to live in a community of dignified and free human beings. Despite the fact of two different concerns, Orthodoxy posits unity of social action vis-a-vis the unity (in diversity) of the two orders. Thus, the two-orders theory helps us to understand the manner in which "secular" liberal states and the Orthodox Church can coexist to enable human beings to act unitively in society.

1. Sources of Corruption of Intentional Association

Liberal and Orthodox understandings of human nature have implications for their understanding of society, as society is a natural extension of individual human beings. Modern liberal theories normally understand societal progression as the move from captivity to freedom, which is grounded in the natural liberty of human beings.¹³⁰ Corrupted social conditions are normally explained by reference to the subversion of individuals' natural freedom. Under governments that

128 See Pauline Allen, *Challenges in Approaching Patristic Texts from the Perspective of Contemporary Catholic Social Teaching*, in *READING PATRISTIC TEXTS ON SOCIAL ETHICS: ISSUES AND CHALLENGES FOR TWENTY-FIRST-CENTURY CHRISTIAN SOCIAL THOUGHT* 30, 30–44 (Johan Leemans, Brian J. Matz & Johan Verstraeten eds., 2011).

129 DEMETRIOS J. CONSTANTELOS, *BYZANTINE PHILANTHROPY AND SOCIAL WELFARE* 154 (1991).

130 See John Christman, *Liberalism and Individual Positive Freedom*, 101 *ETHICS* 343, 343–59, (1991).

instantiate free exchange, representative rule, and individual rights, this corruption can be rectified and liberty restored.¹³¹ However, Orthodoxy takes a different view which is premised on its understanding of postlapsarian human conditions and the implications of these conditions for society in general. Specifically, rather than identifying the cure to corruption with good government, Orthodoxy, as seen in thinkers such as Basil and Gregory, among others, holds that if the self is perfected, the society as the totality of selves is also perfected.¹³² If, on the other hand, the individual is corrupted, the totality is also corrupted. In other words, in a postlapsarian world individual human corruption entails the corruption of the whole society. As a result, for Orthodoxy a state assembly made up of unedified human beings may well be an assembly of bandits.¹³³

Any intentional society's foundational aim is to establish a community of minds and to reconcile the wills of its members, i.e., to secure their harmonized state. Harmony is the union of opposites and harmonically organized wills, no matter how opposite and originally conflicting, finding their balance within the whole harmonized human association. In this Section we, again, argue that a mere postlapsarian human association, no matter how technologically or financially advanced, is unable to carry out a viable project of harmonizing human wills and interests. In contrast, a human being undergoing deification and only such a human being is (partially now and fully in the society of the holy which is yet to come) capable of being truly free and dignified. Consequently, Orthodox theorists deny as counterintuitive and self-contradictory modern liberal theorists' claims regarding the intrinsic goodness (or, at least, propensity to the good) of a mere (i.e., unredeemed) human being and of a mere human association.¹³⁴ In order to instantiate the ideals of freedom, dignity, and robust equal rights, a postlapsarian human being requires faith and redemptive action, including with respect to the proper function of reason and rationality.

131 See JOHN LOCKE, TWO TREATISES OF GOVERNMENT AND A LETTER CONCERNING TOLERATION 8 (Ian Shapiro ed., 2003).

132 Basil, *supra* note 112, at 37; GREGORY OF NYSSA, THE LIFE OF MOSES 59–60, 135 (Abraham J. Malherbe trans., Paulist Press 1978) (describing the ascent and purification of the individual soul to God). Thus, Basil tells us, in restored social conditions, in the society of the holy, “the human being will come again to his original condition rejecting evil, this life of many troubles, the soul’s enslavement involving life’s concerns; putting aside all these things, he will return to that life in paradise un-enslaved to the passions of the flesh, free, intimate with God, with the same way of life as the angels.” Basil, *supra* note 112, at 37.

133 See 2 AUGUSTINE, *supra* note 49, bk. IV, at 1717.

134 This critique of reason as understood by enlightenment and post-Enlightenment thought, initiated by various nineteenth century Orthodox philosophers, among whom we should mention V. Soloviev, S. Trubetskoy, among others, was continued in the works of modern Orthodox thinkers, for example, A. Scheinman, J. Meyendorff, among others.

By implication, Orthodoxy is critical of liberal theories of public reason, in particular implicit claims about the capacity of human reason to arrive at principles of public reason. In our judgment, theories of public reason depend upon implicit but mistaken premises regarding the capacity of postlapsarian reason to fashion principles of justice. As importantly, certain theories of public reason appear to rest upon the implicit assumption that post-Fall reason is perfected enough to subject itself to self-imposed constraints that secure the respect to which human beings are entitled by virtue of their rational nature and status as bearers of dignity who are ends in themselves.¹³⁵ In our view, this relatively high view of reason marks off Rawls's theory of public reason as a further elaboration of various enlightenment theories of reason as applied in the moral and political sphere. Thus, although Rawls's doctrine of the burdens of judgment explains the difficulties of arriving at agreement on the "good," the doctrine nonetheless reflects an ultimately optimistic faith in reason's power to construct a viable public reason.¹³⁶ In particular, Rawls's view expresses confidence in the capacity of human nature and human reason to abide by the requirements of public reason.¹³⁷

As previously noted, Orthodoxy denies that postlapsarian human beings necessarily possess dignity at any given moment.¹³⁸ Moreover, in contrast to liberalism's ideal of public reason, Orthodoxy sees human reason in general, and public reason in particular, as fallen (and hence self-contradictory and self-destructive) and therefore in need of grace and redemptive action, especially through ascetic practice.¹³⁹ As a result, Orthodoxy denies that public reason is a viable method of

135 John Rawls, *The Idea of Public Reason Revisited*, 64 U. CHI. L. REV. 765, 799–800 (1997); see also Charles Larmore, *Public Reason*, in *THE CAMBRIDGE COMPANION TO RAWLS* 368, 376, 383 (Samuel Freeman ed., 2003) (noting that Rawls predicates public reason on an implicit but undeveloped ideal of respect understood to mean that human beings are ends in themselves. As a result, coercive, legally binding decisions require justification from a common point of view).

136 See Larmore, *supra* note 135, at 378.

137 RAWLS, *supra* note 32, at 217; Larmore, *supra* note 135, at 376 ("Publicity aims at a freedom of self-determination which citizens can exercise together despite their abiding disagreements. To enjoy this identity-in-difference, they must observe therefore a certain self-discipline, bringing to their deliberations about issues of justice only those convictions which can form part of a common point of view.").

138 See *supra* note 135 and accompanying text.

139 Thus, in Epistle 101 to Cledonius, Gregory the Theologian opposes Apollinarius's claim that Christ did not possess a human mind. In contrast to Apollinarius, Gregory argues that Christ assumed human nature to redeem it, and fallen human reason was the first thing in need of redemption. See GREGORY OF NAZIANZUS, *ON GOD AND CHRIST: THE FIVE THEOLOGICAL ORATIONS AND TWO LETTERS TO CLEDONIUS* 155–164 (John Behr ed., Frederick Williams & Lionel Wickham trans., St. Vladimir's Seminary Press 2002) (c. 350).

achieving liberal ideals, insisting instead upon the necessity of grace and the practice of right faith.

It is thus clear that Orthodoxy and liberalism have different apprehensions of the sources of corruption in history. Thus, Orthodoxy grapples with collective life and social injustice while bearing in mind that the postlapsarian human condition is marked off by the radical irreconcilability of conflicting egos and wills. In contrast, liberalism sees the problem of justice as rooted in either the corrupted individual will unjustly seeking to impose its desire over either the whole of creation or upon some of its parts, thus jeopardizing the integrity of the whole and its parts, in corrupted social structures, or in unjust laws and constitutions. Yet, this line of thought, in our opinion, does not square well with liberalism's implicit affirmation of humanity's original goodness, predisposition to societal virtue, and capacity to rationally apprehend conflicting human impulses so as to reconcile them for the sake of mutual well-being. If humanity is so disposed to goodness and so endowed with effective rational capacity, why would society suffer from the corruption and evil that liberalism aims to root out?

Hence, Orthodoxy and liberalism explain the problems of societal evil by emphasizing overlapping but different sources of corruption. Some of the sources to which Orthodoxy attributes societal corruption are far removed from historical-societal occurrences (the Fall, the corruption of reason and will, etc.).¹⁴⁰ In contrast, liberalism tends to trace corruption to both historically determined phenomena, such as unjust laws and constitutions, and to phenomena that are associated with foundational social structures (e.g., family, associations, the state, and global community). Thus, just as liberalism and Orthodoxy do not agree on the nature of society as, respectively, characterized by human beings possessing liberal virtues and one characterized by a fallen humanity in need of deification, neither do they agree on the meaning and origin of evil in human life.

Although liberalism and Orthodoxy do not agree on the nature of society or evil, and so take different approaches to social life, they are also oriented toward different aims. While each is an intentional association with a charter, law, ethos, etc., the liberal state is oriented toward securing the goods of this life, whereas Orthodoxy is primarily oriented to the concerns of another world. Thus, a central issue in the practical compatibility of liberalism and Orthodoxy is how to understand the relation between eternal and mere temporal matters.

140 See WARE, *supra* note 74, at 78.

2. Orthodox Views of Intentional Associations and Unitive Action

We now offer a series of reflections on the idea of two kinds of societal orders, that is, the ecclesial and the secular, made manifest in two intentional associations, i.e., the church and the state. Both have their peculiar structural pillars and address different types of human concerns, one fostering eschatological hope in redeemed and deified humanity, and another facilitating human eschatological aspirations to live in a community of dignified and free human beings. Despite the fact of two social orders with different concerns, Orthodoxy's positing of a unity of social action vis-a-vis the unity (in diversity) of the two orders offers a basis for Orthodox and liberal cooperation in the social sphere.

Our main argument is that human action is rarely random, but almost always deliberate. And human societal action is expected to be framed normatively, looking toward the highest societal goods. Among these are freedom, autonomy, dignity, equal rights, etc. Hence, it is implicitly expected that the majority of a liberal state's population will uphold these ideals and include them in their deliberation. Moreover, liberal states are responsible for enacting laws that safeguard liberal ideals. However, it is equally clear that another societal concern intrinsic to human nature is individual (and, perhaps, also communal) salvation from evil. Liberal theorists predominantly accentuate concern with societal goods and either completely deemphasize concern with evil or build the latter into the former as a subordinate secondary concern.¹⁴¹ Hence, the highest societal good is presented as being linked with the individual capacity of self-actualization through free exchange, participation in the life of the state secured by individual rights where a liberal state, backed by liberal policies, assures an evil-free societal framework capable of enabling human action. On the other hand, an action in accordance with reason (i.e., virtuous action upholding liberal ideals) and the practice of liberal virtues constitutive of liberal theory are expected to be allied with or organized around the project of redemption from liberal (or apparent, based on the Orthodox understanding of the phenomena) evils, i.e., lack of freedom, inequality, suffering, pain, etc. For liberalism, the end of action in accord with reason is expected to ensure human well-being, enable

141 See Rachel A. Amiri & Mary M. Keys, *Benedict XVI on Liberal Modernity's Need for the "Theological Virtues" of Faith, Hope, and Love*, 41 PERSPS. ON POL. SCI. 11, 14, 17 n.35 (2012). Hence, as Cécile Laborde argued, "political liberalism is indeterminate about the symbolic dimensions of the public place of religion." Cécil Laborde, *Political Liberalism and Religion: On Separation and Establishment*, 21 J. POL. PHIL. 67, 67 (2013). This includes the issue of evil.

human agents to initiate new causal chains altering the fabric of social existence, and to secure full actualization of the individual self.

Orthodoxy also takes account of both societal goods and of the need to rescue human beings from the real evil of separation from God.¹⁴² But unlike liberalism's tendency to radically deemphasize evil or to assimilate it to concern with societal goods,¹⁴³ Orthodoxy posits a theory of unitive action vis-a-vis the unity (in diversity) of the two societal orders made manifest in two intentional associations, that is, church and state. Orthodoxy thereby encourages attention to both societal, immanent goods, and salvation from evil. Thus, in contrast to liberalism's tendency to deemphasize or assimilate evil into the secondary concern of societal goods, for Orthodoxy it is precisely the soteriological concern that begins and determines human deliberation in the direction of redemption and deification. Therefore, unlike liberalism, Orthodoxy refuses to subordinate or deemphasize the problem of evil.

Orthodoxy denies at the outset the possibility of an evil-free communal existence.¹⁴⁴ It applies what we call the principle of "soteriological realism" to the issue of (either apparent or real) evil in collective life, thus allowing for the possibility of only a partial realization of the ideal of an evil-free society of dignified and autonomous human beings on Earth. As such, although Orthodoxy maintains this ideal as an eschatological aspiration which guides action, Orthodoxy does not expect full actualization of liberal ideals in history until the end of history or perhaps a supra-historical continuation of the existence of a humanity that must be redeemed. Because Orthodoxy sees the problem of evil, including apparent evils, in collective life as interimbricated with the need for redemption, a maximal, though partial, realization of liberal ideals requires the presence of human beings who, with divine aid, are in the process of being refashioned to take on the mind of Christ, thereby becoming capable of reliably manifesting Christian love.

Consequently, Orthodox theory sees liberal theory as marked by an unresolved tension between the eschatological utopia of placing the eschaton in the midst of history in the face of the obvious fact that liberalism's ideals have nowhere been fully realized in history and are in fact deeply contested today, as seen in the recent surge in nationalist thought and movements that reject key liberal aspirations.¹⁴⁵

142 See *supra* notes 130–32 and accompanying text.

143 See *supra* note 161 and accompanying text.

144 This statement indeed needs a qualification. A particular intentional community can (at least, potentially) be freed from evil—in particular, a community of monks. However, in general, communal existence in a secular environment is not freed from evil until its members are fully deified. However, full deification of all necessitates the final summation of all things under the judgment seat of Christ.

145 See DENEEN, *supra* note 12.

Liberalism's eschatological utopianism is corrected by Orthodoxy's eschatological realism and the latter's more profound understanding of the boundaries that separate history from eschaton. Moreover, Orthodoxy's eschatological realism explains liberalism's incapacity to realize liberal ideals, such as universal equality, by making reference to humanity's fallen condition and denying that a mere postlapsarian human is ever fully virtuous, reasonable, good, etc. Rather, it ascribes these qualities in greater degree to those who join the society of the holy and begin the process of deification here on Earth.

A redemptive and deifying transition to holiness is fostered by the church, that is, the intentional association of sinful people who seek redemption and aim to reconcile their wills with the will of Christ while practicing self-giving love (i.e., agape).¹⁴⁶ Yet, the church is not something otherworldly.¹⁴⁷ It exists in the world and collaborates with other intentional associations of this world, notably, with states.¹⁴⁸ More specifically, the Orthodox Church aims to collaborate with states through the Orthodox principle of *symphonia*, according to which the church and the state cooperate together toward the proper end of human life, which is the creation of social (i.e., economic, political, legal, etc.) conditions to protect dignity, along with the securing of individual and collective salvation.¹⁴⁹

The Orthodox principle of *symphonia* is an approach to church-state relations that focuses on sustaining the harmonious coexistence

146 Compare Grdzeldze, *supra* note 47, at 124–25 (“The purpose of the church is to restore fallen humanity and thereby reconcile the whole creation to God.”), with Stephen Thomas, *Deification*, in 1 THE ENCYCLOPEDIA OF EASTERN ORTHODOX CHRISTIANITY, *supra* note 47, at 182, 183–84 (describing the Orthodox doctrine of salvation and its connection to the aim of coming to possess God-like love), and JOHN ILYTCH SERGIEFF, MY LIFE IN CHRIST (E.E. Goulaeff trans., London, Cassell & Co. 1897) (“As the Holy Trinity, our God is One Being, although Three Persons, so, likewise, we ourselves must be one.”), and John Maximovitch, *Laboring with Christ: The Address of Blessed Archbishop John (Maximovitch) on the Occasion of His Consecration as Bishop of Shanghai*, ORTHODOX AM. (May 27, 1934), <https://roca.org/oa/volume-vi/issue-59-60/laboring-with-christ/> [<https://perma.cc/2QGH-89KL>] (“Christ came to earth to restore in man God’s image which had grown defiled, to call people, to unite them as one that with one mouth and one heart they would glorify their Creator.”).

147 Patriarch Daniel, *Importance of Church-State Cooperation in the European Context*, ORTHODOXY IN DIALOGUE, <https://orthodoxyindialogue.com/2019/07/11/importance-of-church-state-cooperation-in-the-european-context-by-patriarch-daniel-of-romania/> [<https://perma.cc/77R5-2FKF>] (“This historical fact illustrates the Orthodox teaching that the Church manifests itself in human society, which is organized in a political community, that is, *the place of the Church is always within the State*. This relationship between the Church and the State is based on the Orthodox teaching that the Church is both a spiritual, sacramental or mystical reality, and an institutional, social reality, and man—as a subject of history—belongs to both the Kingdom of Heaven and to Caesar’s Kingdom (*Matthew 22:21*).”).

148 *Id.*

149 See MCGUCKIN, *supra* note 65, at 50, 278.

of the church and the state as the two orders of society.¹⁵⁰ According to this principle, the two orders complement and organically cooperate together “for the good of society.”¹⁵¹ In particular, the Orthodox church addresses the eschatological concerns of redeeming humanity,¹⁵² whereas the state aims to secure, at least conceptually, free exchange, representational authority, and rights.¹⁵³ The state also offers a set of economic, political, and legal tools to foster the actualization of the liberal eschatological ideal of a dignified and autonomous humanity. While in liberal thought the starting point for actualizing the liberal eschatological ideal is often intrinsic human rights and freedoms,¹⁵⁴ as we have seen, according to Orthodoxy, partial progress toward actualizing the liberal eschaton requires the presence of the society of the holy on Earth who work with God to redeem postlapsarian humanity.¹⁵⁵ To ensure this partial progress, Orthodoxy advocates cooperation between church and state. In other words, Orthodox social theory, as we understand it, is associated with a vision of unitive action which takes into account the concerns of the church and state in a manner that actualizes each concern in one and the same action.

150 Frederick Lauritzen, *Symphonia in the Byzantine Empire: An Ecclesiastical Problem*, in *ÉVANGILE, MORALITÉ ET LOIS CIVILES GOSPEL, MORALITY, AND CIVIL LAW* 103, 104 (Joseph Famerée, Pierre Gisel & Hervé Legrand eds., 2016); see JUSTINIAN, *How Bishops and Other Ecclesiastics Shall be Ordained, and Concerning the Expenses of Churches*, in 16 *THE CIVIL LAW* 30 (S.P. Scott ed. & trans., Central Trust Co. 1932); cf. Brandon Paradise, *Agape and Law in Byzantium*, in *ORTHODOXY AND THE SACRED ARTS* 244 (John Anthony McGuckin ed., 2016).

151 See MCGUCKIN, *supra* note 65, at 278.

152 Grdzeliidze, *supra* note 47, at 124–25.

153 Cf. John A. McGuckin, *The Legacy of the 13th Apostle: Origins of the Eastern Christian Conceptions of Church and State Relation*, 47 *ST VLADIMIR'S THEOLOGICAL Q.* 251, 278–79 (2003).

154 See *supra* note 10 and accompanying text. Compare *id.* with Francis Fukuyama's contemplation of “the post-historical period” within history in Francis Fukuyama, *The End of History?*, *NAT'L INT.*, Summer 1989, at 3, 4, 18.

155 Compare Maria Gwyn McDowell, *Communion of Saints*, in 1 *THE ENCYCLOPEDIA OF EASTERN ORTHODOX CHRISTIANITY*, *supra* note 47, at 132, 132 (“For Orthodoxy [the communion of saints] signifies the ongoing participation (*methexis*, or *koinonia*—communion) in God by all of God's holy elect: those still living on earth, those passed to the Lord, and the holy angels who also form part of the heavenly church.”), *with id.* at 132 (“St. Basil the Great's social programs inaugurated their own attendant form of monasticism, in which serving others was considered integral to an ascetic life. Contemporary studies of holy men and women emphasize their role as agents of change who ignored social divisions in order to serve the needs of all, rich and poor alike.” (citing *THE BYZANTINE SAINT* (Sergei Hackel ed., Borgo Press, San Bernadino 1983)), and JOHN ANTHONY MCGUCKIN, *THE ORTHODOX CHURCH: AN INTRODUCTION TO ITS HISTORY, DOCTRINE, AND SPIRITUAL CULTURE* 231–32 (2011) (“Love, and the communion that grows from it in a strenuous commitment to justice and mercy, is thus the fabric of the light that upholds the being of the next age [the eschaton]. The saints and angels are already living, or learning to live, in that luminous element. We on earth are in a more primitive state of *paideia*, and both our justice and our mercy is erratic.”).

Accordingly, Orthodoxy's two-orders theory helps us to understand the manner in which "secular" liberal states and the Orthodox Church can co-exist to enable human beings to act unitively in society. The proper eschatological aspirations of the church and the state find their synthesis in a unified action that weaves together the earthly and the heavenly, the societal and the angelic, etc. Thus, as opposed to liberalism's singular approach to both earthly and (what are really) heavenly matters, Orthodoxy's two-orders theory posits that the intentional associations of the state and the church can cooperatively focus on earthly and heavenly matters, respectively.

Insofar as Orthodoxy insists that redemption is necessary for liberal ideals to be (maximally but partially now and fully in the eschaton) actualized, we can speak of Orthodoxy as upholding an "eschatological realism" that contrasts with liberal utopianism. In this respect, Orthodoxy traces the failure of liberal states to deliver upon the promise of universal free exchange, representational government, and equal rights to the basic unviability of building the kingdom of heaven on Earth (before the second coming of Christ). On the other hand, Orthodoxy fully supports the aspiration of moving toward a liberal society (if we use liberal parlance to express a vision of "perfected" society) or society of the holy (if we use the Orthodox parlance to express a similar vision) that is implicit in the liberal quest for liberty, equality, autonomy, etc. The Orthodox ideal of *symphonia* posits that the church's mission of cooperating with God to deify humanity aims to instantiate in human beings the virtues upon which the concrete, maximal but partial manifestation of liberal ideals depends. Consequently, liberalism and Orthodoxy can collaborate in the social sphere.

Orthodoxy unambiguously maintains that the church and the state must collaborate through harmonization, being framed into a symphonic unity where one voice supplements and completes the other.¹⁵⁶ Hence, the nature of church-state relations, according to Orthodoxy, is not a mere separation but a collaborative effort to mutually contribute to societal well-being: the secular power promising to secure basic rights and equal treatment of all, while the church pursues the eschatological quest for salvation and immortality, reconciliation with God, and the unity of all with the source of their being, that is, God. Thus, both the Church and the State have functions necessary to postlapsarian humanity, so that human beings and collective life can better come to resemble the model of their fully perfected counterparts.

156 JOHN MEYENDORFF, *BYZANTINE THEOLOGY: HISTORICAL TRENDS AND DOCTRINAL THEMES* 222–23 (1974).

CONCLUSION

We may now conclude this Article by stating that, despite their different charters, anthropological assumptions, and understandings of the nature and origins of evil, this Article affirms that Orthodoxy and liberalism are compatible in so far as they are driven by similar eschatological aspirations and may, according to *symphonia*, complete one another. At this point we may clearly see the potential for a fruitful and promising collaboration between Orthodoxy and liberalism. However, there exist various stumbling blocks which complicate the situation by aiming to turn the two intentional associations against each other. For instance, a militant, antireligious form of modern liberalism that aims to purge from its theory any implicit religious views or commitments poses an obstacle to Orthodox and liberalism collaboration. The Article suggests that given the hidden metaphysical and religious premises upon which modern liberalism is founded, the antireligious form of liberalism is a mere and unfortunate historical contingency. Given that antireligious liberalism is only one version of liberalism and itself depends on religious ideals, this form of liberalism does not preclude mutual apprehension, appreciation, and, consequently, collaboration between Orthodoxy and other forms of liberalism and therefore between liberal states and the Orthodox church. On the other hand, a deep suspicion toward liberalism on the side of some factions of Orthodoxy, especially those that experienced forms of western colonialism, leads them to think of liberalism as a kind of contamination of religion that aims to undermine the premises of religion and to jeopardize the integrity of communal life. We, however, see the presence of reasonable eschatological aspirations in liberalism and liberal ideals of perfected life as akin to the spirit of Orthodoxy. Hence, we believe that collaboration between Orthodoxy and liberalism is possible, desirable, and even necessary, at least at this historical stage of human life.