

NOMOS I

Authority

*Edited by CARL J. FRIEDRICH for
The American Society of Political
and Legal Philosophy*

HARVARD UNIVERSITY PRESS
Cambridge, Massachusetts

1958

© Copyright 1958 by the President and Fellows of Harvard College
Distributed in Great Britain by
Oxford University Press · London

Library of Congress Catalog Card Number 58-7248
Printed in the United States of America

Preface

The present volume, entitled *Authority*, is the first in what is hoped to become an annual publication of the American Society for Political and Legal Philosophy. This Society was founded in 1955 by a group of friends in the social sciences, law, and philosophy who share an interest in the range of problems traditionally treated within the broad framework of political and legal philosophy. It is our belief that these problems are of vital importance and that they require interdisciplinary exploration, treatment and discussion. One major activity of the Society is the publication of an annual volume dedicated to the topic of the annual meeting and built around the major contributions to the conference.

We are calling the series NOMOS, which is the broadest Greek term for law, because in this term there are also traditionally comprised the notions of a basic political order and of customs and a way of life. It describes reasonably well, and perhaps better than any term of modern English, what must be the focus of a society such as ours, uniting the several social sciences, law, and philosophy.

The volume grew out of the discussions of the meeting held in 1956, but is not simply a collection of the papers there read. Some of the chapters are that (Arendt, Hall, Hendel), but others were developed from briefer invited comments (Friedrich, Jacobson). Still others are elaborations of spontaneous remarks made in the course of the discussion by a participant (Catlin, de Jouvenel, Knight, Kraus, Spiro). Finally, there are some which were contributed by members

of the Society who had not participated in the meeting (Easton, Hoebel, Parsons), in order to round out and balance the presentation. The rich variety of discussion is, thus, reflected in the contrasting viewpoints of the papers which state very different positions. Yet there would seem to be a common core which the interested reader will probably identify fairly readily.

The next volume, scheduled for 1958-59, will deal with Community, the subject of our 1957 meeting.

It remains to express our appreciation for the aid given by the Twentieth Century Fund which has made this publication possible. The editor would like also to thank Messrs. August Heckscher and Frederick Mundel Watkins for their help in shaping the volume, and Miss Roberta Hill for her competent editorial assistance.

Contents

PREFACE	v
BY CARL J. FRIEDRICH	

PART ONE. AUTHORITY IN GENERAL

1. An Exploration of the Nature of Authority	3
BY CHARLES W. HENDEL	
2. Authority, Reason, and Discretion	28
BY CARL J. FRIEDRICH	
3. Authority, Values, and Policy	49
BY HERBERT J. SPIRO	
4. Authority and the Law	58
BY JEROME HALL	
5. Authority and the Free Society	67
BY FRANK H. KNIGHT	

PART TWO. AUTHORITY IN HISTORICAL PERSPECTIVE

6. What Was Authority?	81
BY HANNAH ARENDT	
7. Knowledge, Tradition, and Authority: A Note on the American Experience	113
BY NORMAN JACOBSON	
8. Authority and Its Critics	126
BY GEORGE E. GORDON CATLIN	
9. Authority, Progress, and Colonialism	145
BY WOLFGANG H. KRAUS	